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MEMORANDUM

DATE: October 30, 2007
TO: TechMIS Subscribers
FROM: Charles Blaschke and Blair Curry
SUBJ: "Research-Proven Programs," Early Intervening Services/RTI
Developments and State Profile Updates

Earlier this month, we sent subscribers an update on final USED allocations to districts receiving a 20 percent or more increase in Title I funds, most of which will arrive over the next two months. In most cases these increases are unexpected and will be treated as a one-time "windfalls" used to purchase items of an investment nature, such as products and staff development. In some states, these final allocations will be reduced significantly because of SEA adjustments; however, in other states we have identified, after adjustments, districts will retain a significant portion of their increases.

The Washington Update includes the following:

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A legislative amendment has been submitted by key Senators which would replace "scientifically-based research" by "research-proven," the operational definition of which would give preference to certain reading programs purchased under Title I and Reading First. The research-proven definition could be applied to school improvement grants under Title I which should be allocated to districts with schools in corrective action and restructuring, an amount which will likely increase from \$125 million this year to \$500 million in 2008.
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Another proposed Senate amendment to ESEA/NCLB would fund a new initiative to create and evaluate "core" programs, which could be used for school improvement, restructuring and supplemental educational services under Title I, including Reading First. Funds would be limited for not-for-profit organizations to develop and evaluate such programs using large-scale, randomized evaluations.
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Assuming the President will veto the House-Senate FY 2008 appropriations bill,

which is likely to be \$3-5 billion more than the President requested, direct negotiations between Congressional leadership and the White House will likely result in moderate to major increases in Title I and moderate increases in IDEA special education, with Reading First being a casualty for at least one year.

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Beyond the numbers, the final language in the FY 2008 appropriation bill will reflect Congressional priorities and concerns which could have significant implications for some publishers. In S 1710, the Title I purchasing cycle will be affected and implementation of NIMAS could be heightened which could represent a significant cost to education publishers and possibly reduce copyright protections.

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A new report from The Rural School and Community Trust reports that nearly half of all English language learners (ELL) enrolled in U.S. public schools are enrolled in rural districts with the rate of growth very high. The report also includes relevant expenditures for English language learners and individual state profiles which could help firms target states and districts within states which have been experiencing significant growth in ELL enrollments and have available funding.

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A follow-up report from The Center on Education Policy explains why SEA officials feel most NCLB provisions have had little positive effects on student achievement and identifies a number of changes SEAs are planning to make in order to implement assessment and accountability provisions, which could provide some opportunities for firms with relevant products and services.

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New USED guidance to SEAs places a high priority on the use of student achievement and other data to inform decisions and create a system of “continuous feedback and improvement” using the new \$125 million under School Improvement Grants, which target LEAs with schools in corrective action or restructuring.

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State special education leaders are likely to support the use of Reading First models and programs in implementing early intervening services/response-to-intervention provisions under IDEA.

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New initiatives are underway to help states and local districts implement response- to-intervention model approaches with national summit planned in December.

The state profile updates provide current information on the number of districts in states which had been identified for improvement and in some cases in corrective action or restructuring. In some states, the final K12 budgets were only recently finalized in which case we have identified some possible opportunities. Other items and issues identified in several states include: state assessments and exit exam/end-of-course exams, remediation assistance, funding for prekindergarten programs, and State budget problems.

If you have any questions please contact me directly about the Washington Updates, or Blair Curry regarding state profiles.

Washington Update

Vol. 12, No. 11, October 30, 2007

Key Senators Propose “Research-Proven Programs” to Replace “Scientifically-Based Research” in Giving Preference to Certain Reading Programs Purchased Under Title I and Reading First

Following recommendations by the USED Office of Inspector General (OIG) in its Reading First audit reports, submitted over the last year, Senator Richard Lugar (R-Indiana) and Senator Jeff Bingaman (D-New Mexico) have proposed legislation (S.2118) which would give preference for reading programs purchased under Reading First and Title I, which are “research-proven programs.” On several occasions over the last year, Senator Lugar has publicly supported the allegations made by Dr. Robert Slavin, founder of *Success for All*, over a year ago, who filed the initial “complaint” with the USED Office of Inspector General claiming that USED and its Reading First technical assistance contractors did not apply the definition of “scientifically-based research” in approving programs proposed by SEAs in 2002-03. Arguing that *Success for All* had SBR evidence, Slavin claimed that many states and districts were told not to propose *Success for All* for use in Reading First. *Reading Recovery* and one other publisher made the same claim for their own programs.

The proposed Lugar-Bingaman amendment to ESEA, entitled “Proven Programs for the Future of Education Act of 2007,” would provide competitive preference points equal

to ten percent of the total number of points awarded to an SEA or LEA in any competitive grants if the applicant proposes to use a “research-proven program.” Not only would this amendment affect new competitive grants made by SEAs to LEAs under Reading First, but conceivably would also apply to the new \$125 million in “school improvement grants” to SEAs and, in turn, to LEAs with schools in “corrective action” or “restructuring” this year, as well as the \$500 million proposed by Congress and the President for FY 2008. About 95 percent of SEA allocations to districts under Title I are allocated based on the Title I formula, not on competitive grants.

The proposed amendment would operationally define “research-proven reading programs,” which both the OIG and Slavin argued needed to be done. To qualify as a research-proven reading program, a program must be evaluated in not less than two studies, both of which must meet the following minimum criteria.

- (i) The reading program was compared to a control group using alternative or traditional methods.
- (ii) The study duration was not less than 12 weeks.
- (iii) Program and control schools were equivalent at pretest in reading achievement (within 0.5 standard deviations). Analyses of posttest differences were adjusted for pretest differences.

- (iv) The reading posttest measures used to compare program and control groups has to be a valid standardized or criterion-referenced test of reading, such as a State accountability test, and is not inherent to the program. For example, tests made by the program authors, or tests of content not studied by control students, do not qualify.
- (v) The sample size of each study is not less than five classes or 125 students per treatment (10 classes or 250 students overall). Multiple smaller studies may be combined to reach this sample size collectively.
- (vi) The median difference between program and control students across all qualifying studies is not less than 20 percent of student-level standard deviation, in favor of the program students.

The amendment would also require USED to constitute a “review panel to review scientific reviews of reading evaluations and determine which programs qualify as qualified research-proven reading programs.” It also specifies that the members of the panel shall have expertise in “scientific research review and in scientifically-based reading research but may not have financial or personal connection with the authors or publishers of any programs.”

The proposed amendment is very similar to an amendment included in the 1997 Education Appropriations Act which created the Comprehensive School Reform

Demonstration Act as sponsored by Congressman David Obey and drafted with assistance from Dr. Slavin and other developers of comprehensive model programs. As with the CSRD, the conditions which evaluation studies must meet in the Lugar-Bingaman amendment are less rigorous than those considered the “gold bar” by the WhatWorks Clearinghouse (e.g., randomized trials). Within six months after passage of the CSRD, at least 17 comprehensive school models were identified as having varying degrees of effectiveness in raising student achievement based on research conducted by non-profits groups such as The American Institutes for Research, among others. Over time, the number of eligible comprehensive school models, including several developed by states (e.g., Wisconsin) which were allowed to participate in the program, grew as funding increased from slightly over \$30 million the first year to about \$200 million subsequently.

Because the Lugar-Bingaman proposed amendment could be enacted under existing NCLB legislation, its effects could be immediate, especially if NCLB is not reauthorized this year. While its impact on Title I would be less immediate, largely because of slowly increasing Federal Title I “competitive” grants to districts under the school improvement grant program, one would expect some states to submit amendments to their state Reading First plans taking into account the new less rigorous conditions which would be met in reviewing effectiveness evidence in studies conducted by publishers and/or independent groups. As always, “the devil will be in the details” of what will finally pass in Congress.

Proposed Senate Amendment to ESEA Would Fund New Initiative to Create and Evaluate Core Programs to Be Used for School Improvement, Restructuring and Supplemental Educational Services Under Title I, Including Reading First

On September 28th, Senator Richard Lugar and Senator Jeff Bingaman introduced a second bill, S. 2117, the “Education Research & Development To Improve Achievement Act of 2007,” which would encourage the development of “research-proven” programs funded under ESEA. S. 2117 could be considered a companion amendment to S. 2118 (see related [Washington Update](#) item). The Bill, supported by the “Knowledge Alliance” which includes the *Success for All* Foundation, would provide up to \$100 million in FY 2008 in the form of minimum grants of \$500,000 annually to eligible non-profit organizations to develop and/or evaluate -- using large-scale randomized trials -- “core” reading programs. Thus far, the bill does not include a definition of what constitutes a core program. For schools identified for improvement and restructuring, core program is likely to mean a comprehensive program, perhaps similar to those funded in the past under the Comprehensive School Reform Demonstration Act; core programs to be used in Reading First are likely to be programs that focus specifically on reading domains or Reading First “essential elements.” On the other hand, programs developed and/or evaluated for providing supplemental educational services are more likely to be supplemental products aligned with core programs or Tier two (or possibly Tier three) interventions falling under early intervening services/RTI.

Based on a review of the limited substantive language in the three-page amendment, one could infer that the entities eligible to compete for competitive grants would be non-profit groups with “a record of development of successful educational programs” or those with a record of conducting “large-scale peer-reviewed research.” The applicants must also describe plans to “disseminate findings in and products of the research and development,” which implies limited commercial participation in this activity. Under the “Use of Funds” clause, the R&D entity that receives grants under this amendment could use funds to:

- create and evaluate new approaches for school improvement, restructuring, SES and Reading First;
- carry out large-scale randomized evaluations of activities that have shown promise in small-scale evaluations;
- carry out large-scale randomized evaluations of existing programs;
- support developers of research-proven activities in creation of capacity for training, material production, and other needs to scale up programs rapidly; and
- disseminate information about effective activities and provide incentives for schools to adopt such activities.

The current version of S. 2117 raises a number of issues which have implications for the private sector. One overriding issue reflected in S. 2117 relates to a number of other areas in the discussion draft of the Miller-McKeon NCLB reauthorization proposal in which certain services and products can only be purchased by districts

and schools from not-for-profit entities. Evidently, S. 2117 would allow grant funding to be used to support only non-profit developers in creating training and related materials and meeting other needs to scale up programs rapidly for adoption by districts. In an earlier analysis of the Miller-McKeon draft, the Education Industries Association identified a number of other proposed programs where a “serious threat” remains for for-profit firms’ participation in such areas as dropout prevention, school management, development of data systems, comprehensive school reform, and teacher/principal professional development, among others. An EIA letter sent to Miller and McKeon, which was also signed by officials from SIIA and the Knowledge Alliance (formerly NEKIA), called for the creation of a level playing field between for-profit and non-profits participating in numerous NCLB activities.

A second issue relates to “unfair competition,” which in this case would limit the development and dissemination/publishing of new core reading programs for use in school improvement and restructuring activities, as well as in SES and Reading First activities, to those developed by non-profit entities. During the last four decades of the 20th century, USED has subsidized non-profit and some for-profit organizations to develop specific education products for “thin” markets, such as special education. During that time there were few incentives for the private sector to invest in product development for the “thin” niche markets. Without question, the Bush administration has not only leveled the playing field between the for-profit and non-profit sectors, but in some cases provided favoritism toward certain groups and firms

within the private sector over others, as reflected in NCLB and the early implementation of Reading First. One of the major policy questions here is whether there exists enough of a potential financial incentive for private firms to develop effective programs to be used for school improvement, restructuring, supplemental educational services, or even Reading First. And a related question is whether reliance only on the non-profit sector will produce appropriate and effective core programs in a timely manner and ensure the scaling up for widespread distribution. The Institute of Education Sciences has changed its policy for some of the RTI and early intervening services R&D efforts by encouraging teams of research scientists to partner with private firms as long as research integrity and objectivity is maintained -- an approach which has been used to varying degrees of success by the National Science Foundation over the last 30 or 40 years.

After the President Vetoes the House-Senate FY 2008 Appropriations Bill and Following Subsequent Direct Negotiations Between the White House and Congressional Leaders, the Most Likely Winners Will Be Title I and IDEA Special Education With Reading First Likely Being a Casualty at Least for One Year

With the recently passed Senate Appropriations Bill for Labor-HHS-Education exceeding the President’s request by almost \$10 billion and the House having passed an even more “excessive” level, the resulting House-Senate Conference Bill which could be passed in early November is almost guaranteed to get a Presidential veto. It is questionable whether there are enough votes in the House to override the veto. The

next phase of direct negotiations between Congressional leadership and the White House will likely result in moderate to significant increases in Title I -- particularly specific programs such as School Improvement Grants -- and in IDEA Special Education. Below we describe probable aspects of such negotiations which could be reflected in an appropriations act or an attachment to a Defense or related supplemental request or even possibly a Continuing Resolution for the remainder of the year, which is what happened with the FY 2007 appropriations.

There would appear to be two levels of negotiating "tugs and pulls." Some groups, such as The New America Foundation, feel the President could sign a compromise with a significant increase of between three and five billion dollars for Education in return for a commitment by Congressional leaders to reauthorize NCLB with only minor changes. At another level, Congressional leaders could agree to reallocate some of the proposed increases in certain programs to the President's priority programs, or otherwise make changes that would have the same effect. For example, in addition to cutting Reading First over \$600 million, the House mark bill provided no funding for Math Now, Promise Scholarships, and several of the other new programs proposed by the President in February. The House would increase Title I funding by almost two billion dollars, while the Senate level would be \$500 million less. On several occasions, House Chairman Dave Obey has noted that districts with Reading First schools could use some of the Title I increase to offset any Reading First cuts. During the debate, Senator Harkin echoed Chairman Obey's feelings about mismanagement in the Reading First

program referring to "some chicanery going on where monies have flowed to friends. I don't think a little cut in their program for awhile will hurt them all that much if they get things straightened out again we can come back and look at it next year." Given that Reading First is the Administration's flagship program, it's not clear whether Senator Harkin's comments, reported in Education Daily (October 24, 2007), reflected a non-negotiable sticking point or political posturing in preparation for negotiations. The White House also proposed a significant increase in Title I funding, but a large portion of the increase would be reallocated to high school Title I programs.

On one area, the proposed increase for School Improvement Grants from \$125 million in FY 2007 to \$500 million in FY 2008 is supported by the White House and the proposed Congressional bills. Some observers feel that, because of this agreement between the parties, the \$500 million could be pulled out of the FY 2008 education appropriations and attached to the President's request for almost \$190 billion for Defense and the Iraq/Afghanistan supplemental budget. Chairman Obey stated that he would not allow House action on the defense supplemental request until the education funding level has been increased and signed by the President. The House and the Senate would increase IDEA special education funding by slightly over \$500 million while the President's proposal is about \$300 million less than the FY 2007 level.

As one observer noted during the negotiation, Congressional leadership will be balancing two balls: (a) on one hand, the Congressional leadership is hoping to

provide certain programs additional support in order to incentivize enough Republican “crossover” votes to override a Presidential veto; (b) at the same time, Congress could reallocate some increases to the President’s priorities to increase the probability of eventual Presidential approval.

Some of the key dates regarding the appropriation process over the next couple months include:

- the availability of a joint conference bill by the end of the first week in November
- current Continuing Resolution runs out on November 16th, which suggests either the need for another Continuing Resolution or heightened negotiation on the FY 2008 bill before then
- the passage of a bill with the President’s signing or a Congressional override around December 15th.

Beyond the Numbers the Senate and House Conference Bill is Likely to Reflect Congressional Priorities and Concerns Which Could Have Significant Implications

Within the forthcoming appropriations bill, the language in a Conference Report can have a significant impact on the numbers, which could provide additional implications for firms selling products and services to Federal niche markets.

Under Title I, the S. 1710, about \$6.8 billion would be allocated to states beginning on July 1, 2008, with about \$8.8 billion not available until after October 1, 2008. In

recent years, the proportions for distribution have been about equal between the Summer and Fall. If the Senate language prevails, then more funds for purchasing products and services will likely be available between October 2008 and January/February 2009 than during this year. Moreover, all of the increases in both the House and Senate version are in the Title I “targeted” and “incentive” grant components of the formula, which basically means that the largest beneficiaries will once again be urban districts with high percentages or numbers of poverty students. Also included is a provision which would allow \$1.6 million to fund a Comprehensive School Reform Clearinghouse in the Senate version; the provision is likely to be adopted in the House version because ten years ago, Chairman Obey was able to get the Comprehensive School Reform Demonstration Act passed through the appropriations process and it remains one of his high priorities. The demand for CSRD-type programs should increase significantly as some of the \$500 million for school improvement grants is likely to be used by districts which have schools in corrective action or restructuring.

If the joint conference language resembles S. 1710 (which is likely), of the \$12.3 billion for IDEA, \$6.2 billion would become available on July 1, 2008, with the remainder available after October 1, 2008, which is close to the proportions distributed during the two time points this year. Under IDEA there is also a provision that does not allow any lawsuits to be filed against the National Instructional Materials Access Center (NIMAC) “for failure to perform the duties of such center or otherwise authorize a private right of action related to the performance of such center.” The provision

is intended to indemnify NIMAC because eight to ten states were hesitant to participate with NIMAC for fear that they could also be sued. According to AAP, the intent of this provision was only to indemnify NIMAC, while states would still have to ensure that copyright violations do not occur as NIMAC electronic versions are distributed to certain districts. Both AAP and AEP have other issues with the interpretation of groups, including USED, responsible for implementing the NIMAS provisions in the 2004 IDEA reauthorization. Inclusion of the indemnification language in the final appropriations bill would provide a green light for heightened implementation of the NIMAS standard which would require publishers of core basal texts and possibly related supplemental instructional materials to provide them in electronic files which meet NIMAS standards.

One important amendment, incorporated into S. 1710 by Senator Feingold (Wisconsin) would require the Government Accountability Office to report to Congress on student preparation techniques and school actions to prepare students to take state assessments and meet state standards.

One amendment proposed by Senator Allard (Colorado) would have automatically reduced by ten percent funding for any education program which was not found to be effective through the PART evaluation process, which has been applied by the Office of Management and Budget. In previous years, most of the programs which support education technology, such as E²T², or which provide large funding sources for such purchases, such as Even Start and Drug-Free Communities, have not been found to be effective when OMB used the

PART process for evaluation. Most of the 42 education programs which the President proposed to zero fund or even rescind in the Administration's proposal submitted in February were those found to lack any evidence of effectiveness by OMB. Defeat of this amendment by a wide margin of 75-19 suggests that many Republicans, as well as the vast majority of Democrats, felt the PART process is too heavy-handed or unfair or lacks any scientific basis.

New Report Suggests Increasing Opportunities for Purchases of Instructional Software and Materials for English Language Learners in Rural Districts

The biannual report by The Rural School and Community Trust, entitled "*Why Rural Matters 2007*," reports that nearly half of all English language learners (ELL) enrolled in U.S. public schools are in rural districts which have populations of less than 2,500 and that the rate of growth in this population is "very high." However, such growth is not spread uniformly within states or even within school districts. The fastest growth, in terms of both absolute and percentage growth, is occurring in the southeastern U.S. states. The report also suggests other factors to take into account in deciding what states and districts to target for sales of ELL instructional programs.

One such factor is whether or not the state provides categorical funding to rural school districts for English language learner programs. In 2003, only nine states (Arkansas, Colorado, Florida, Maryland, Michigan, North Dakota, New Jersey, Virginia and Washington) provided such categorical funding, ranging from \$1,700 per rural ELL student in Florida to \$20 per

rural ELL student in Michigan. Beyond the specific categorical programs, numerous states have provided additional categorical or “block grants” which can be used by rural districts to serve English language learners. These include California (for students failing exit exams), Nevada (students failing end-of-course exams), and Pennsylvania (block grants), among others. In addition to the nine states with specific categorical programs, other states provide funding to districts based on a weighted formula which provides additional funding for ELL students as well as special education students. Over the last four years, none of the increases in Federal Title I funding have been allocated to rural districts, because the Title I formula and the appropriations levels have increased only for “targeted” and “incentive” grants, not “basic” and “concentration grants,” which means that virtually all of the increases have been allocated to large urban districts. Moreover, in a number of states, including Missouri, Hispanic students have been significantly underrepresented in special education as cited in recent USED monitoring reports (see August Washington Update). The Trust report found that approximately \$50 per ELL student nationally was allocated under Federal Title VII (now Title III) Bilingual Education in 2003. However, even among districts enrolling 100 or more ELL students, 64 percent of the districts currently receive no Title III dollars.

The report also rates certain states on additional factors such as “instructional expenditures per rural student” and the “ratio of instructional dollars to transportation dollars” in rural districts. The expenditures vary significantly among states; New Mexico spends \$9 for instruction for every transportation dollar,

while Texas spends \$17. Rural instructional expenditures per pupil range from under \$3,600 per rural pupil in Oklahoma to almost \$8,000 in New York.

The report also includes individual state profiles which could be useful to those responsible for developing overall sales/marketing strategies for firms that wish to target rural schools with increasing enrollments of English language learners. The enrollment growth of ELL students in rural districts has been overshadowed by the attention and funding being provided for services for this population in large urban districts, as depicted in several reports over the last few years by The Council of the Great City Schools. Some of the enrollment growth in specific states in the Southeast has been significant from 2000-2005, including North Carolina (63%), Alabama (140%), South Carolina (250%), Kentucky (249%), Virginia (72%), among others.

For a copy of the report, go to: www.ruraledu.org/whyruralmatters or call the Rural School Community Trust (703-243-1487).

New Report Explains Why SEA Officials Believe Only a Limited Number of NCLB Provisions Have Had a Positive Effect on Student Achievement and Identifies Assessment and Other Changes States Are Planning to Implement Which Could Provide New Opportunities

In June 2007, the Center on Education Policy published its report entitled “*Answering the Question that Matters Most: Has Student Achievement Increased Since No Child Left Behind?*” (see Washington

Update July 2007) which generally found that, between 1999 and 2006, student achievement in many states which had “analyzable” data showed improvement; on the other hand, CEP cautioned readers that variables other than NCLB provisions could have been the contributing factors. In a series of follow-up SEA interviews, CEP commissioned the Human Resources Research Organization (HUMRRO) to interview SEA officials in 22 states that had usable, compatible student performance data and, among other purposes, to gather “qualitative” information from these officials about the impact of specific NCLB provisions on achievement and other outcomes. The interviews also addressed additional changes, particularly in assessments, states were making or planning to make in the near future.

Citing mostly anecdotal evidence, eight of the 22 states agreed that disaggregating achievement data by subgroups helped to improve achievement or brought about related benefits, although in some states such disaggregated reporting resulted in unintended consequences. Most SEA officials did not view the current NCLB accountability requirements “as a particularly effective means to identify low-performing schools or raise school achievement. States reported few or no impacts of other major NCLB provisions on achievement.” SEA officials also pointed to a number of specific types of changes which were underway or planned for the immediate future, including revision of content standards, changes in high school exams, and adoptions of new or additional assessments.

As noted above, disaggregation of assessment data by subgroups was the single

provision having the greatest impact on student performance or directly related benefits in eight of the 22 states. Examples of the perceived reasons for this included:

- In North Carolina, officials felt student achievement improved because of the focus on the performance of all students.
- Officials in Michigan and South Carolina felt data disaggregation proved more attention to low-performing subgroups and often refuted myths about some groups of students being unteachable.

Among the unintended consequences of data disaggregation, as specified in NCLB, is that a single low-performing student could be classified as being a member of more than one subgroup which could overstate the “number of students” failing to meet AYP. Six states felt the consequences of missing AYP for a single subgroup being the same as when all subgroups miss AYP should be changed to differentiated consequences. Other states, such as Missouri and New Mexico, felt that students with disabilities who exit special education should have their scores continue to be counted as part of the students with disabilities subgroup, a change which has been made through the regulatory process since interviews were conducted.

SEA officials also explained why some of the Administration’s flagship provisions under NCLB -- parent choice, supplemental educational services (SES), and scientifically-based research -- did not have a positive impact on student achievement or other benefits. Ten states felt parental choice was not a “viable or necessary option,” either because many districts had just one school per grade span or because parents already had choice through charter

schools or state open enrollment policies. Officials from New Mexico, Wisconsin and Virginia felt that many parents of students who were not struggling took advantage of the transfer option which resulted in reduced funding for subgroups that were not making AYP. Five states felt that SES should be offered before school choice is permitted.

SEA officials from nine states felt it would be difficult, if not impossible, to evaluate whether SES was effective in improving student achievement. Three states -- Delaware, Washington and Rhode Island -- cited the lack of Federal funding to conduct evaluations as a major problem and that SEAs lacked the capacity to implement and monitor SES. Three states -- Arizona, Idaho and Wyoming -- felt delivery of SES, especially in rural, isolated districts, was a major problem, even for online providers who have to fund local staff to supervise students and monitor Internet connections or provide technology support.

While one state -- Oregon -- contended that choice and supplemental educational services were not based on good research, three other states, including Michigan and Wisconsin, felt other aspects of NCLB were not based on scientific research, including the impact of NCLB sanctions on achievement. Four states, including Wyoming and Virginia, felt that not enough programs had been endorsed by research or that scientifically-based research was lacking. These states have called for a clearer definition of scientifically-based research and one of these states -- Wisconsin -- also felt that SBR's multiple definition stifled innovation. States used a variety of tools to implement SBR. Pennsylvania recommends that districts use a website to find scientifically-based research, while

Arizona uses the model for evaluating Comprehensive School Reform Demonstration grants.

The CEP report also identifies a number of changes certain states have made that will affect state assessments, which could create more methodological problems for comparing states' progress over time. Seven states are revising some of their academic content standards, including Florida (language arts and math which will be aligned with the NCTM "focal points"); Minnesota (math standards); South Carolina (English/language arts and mathematics standards); Washington (math and science standards); North Carolina (implementing new high school exit standards); Arizona (pending legislation for end-of-course testing); Massachusetts (new graduation exam in science for the class of 2010). Four states are introducing or planning to introduce new assessments, including Minnesota (new math assessment in 2011); Kentucky (adds ACT college admissions test to statewide assessment to replace norm-referenced test previously used); Delaware (plans to implement new assessment in 2009); and Virginia (modified achievement standards for students with disabilities under the "2% cap" and development of a screening test to identify limited-English-proficient students).

The study identified seven states, including Minnesota, Rhode Island, and Washington, that were planning to increase the amount of assessment available data to the public. Five states, including Massachusetts and Delaware, argued that all of their test data, except for local student data, were available online.

In terms of how states monitor instructional

impact under NCLB, eight states had sponsored or planned to sponsor studies or otherwise have in place a monitoring system which documents district or school efforts to improve instructional practices. Examples include Idaho (implemented a pilot study of 24 middle schools that have not met AYP); Oregon (identified strategies used by schools that have made impressive gains); Kentucky (collecting student data on quality of instruction); Massachusetts (providing content frameworks and some lesson plans for teachers and making available all test items from every assessment on its website); Louisiana (encouraging districts to use state curriculum); and Delaware and Florida (conducting instructional reviews).

This CEP report, along with the one released in June, not only identifies what NCLB provisions are or are not perceived to be having an impact on student achievement, but perhaps more critically, offers reasons why or why not. Not only do some of the findings suggest potential opportunities for firms with certain types of products and applications -- perhaps in high demand now or in the future -- in key states, but also provide insights into the changes which Congress could make during the NCLB reauthorization. If reauthorization does not occur this year, then some of the changes perceived as needed by SEA officials could be made through technical amendments or "fixes" proposed by groups such as National School Boards Association or even through the regulatory process in areas where the Administration agrees with SEAs.

For a copy of the report go to: www.cep-dc.org

USED Guidance to SEAs Places High Priority on the Use of Student Achievement and Other Data to Inform Decisions and Create a System of Continuous Feedback and Improvement Using New Funds Under School Improvement Grants, Which Target LEAs with Schools in Corrective Action or Restructuring

In a policy letter to Chief State School Officers during the first week in October, USED added a new, high-priority use of the \$125 million under School Improvement Grants (SIG) this year -- namely, the use of data-driven decision-making tools and related professional development -- which should be in high demand in districts with schools under "corrective action" or "restructuring," and in even greater demand in the future when funding proposed by the President and Congress would increase to \$500 million next year. At a general level, the overall goal is to use these SIG funds "to build LEA and school capacity to improve student achievement and positively impact" the following measurable outcomes:

1. The number and percentage of students who score proficient in reading/language arts and mathematics...in LEAs and schools receiving School Improvement Funds.
2. LEAs and schools receiving School Improvement Funds that make adequate yearly progress and move out of improvement status.
3. LEAs and schools receiving School Improvement Funds that make decisions regarding the use of these funds based on data and create systems of "continuous feedback and improvement."

Heretofore, the use of student and other data to inform instruction was generally perceived by USED officials to be an integral means and component of the five improvement strategies which schools in corrective action or restructuring could use. Now, it appears, the creation of student and other data-gathering and analyses which allows for continuous feedback for the purpose of student improvement becomes an end goal itself. However, in the guidance, it still remains an integral component of certain strategies such as:

- “Provide customized technical assistance and/or professional development that is designed to build the capacity of LEA and school staff to improve schools and is informed by student achievement and other outcome-related measures.”
- “Provide professional development to enhance the capacity of school support team members and other technical assistance providers who are part of the statewide system of support and that is informed by student achievement and other outcome-related measures.”
- “Implement other strategies determined by the SEA or LEA, as appropriate, for which data indicate a strategy is likely to result in improved teaching and learning in schools identified for improvement, corrective action, or restructuring.”

The other two strategy options are: (1) utilizing research-based strategies or practices to change instructional practice; and (2) the creation of partnerships among SEAs, LEAs or other entities which could deliver technical assistance, professional development, and management advice (e.g.

turnaround experts).

The first inkling of this elevated priority came from former Assistant Secretary for Education Henry Johnson, shortly before he departed USED, when he stated bluntly that all of the SIG funds should be used to implement data-driven decision-making to inform instruction and called for capacity-building in this area among SEAs. In its recent report, the Government Accountability Office found that schools in corrective action or restructuring in 2005-06 were provided professional development (60 percent) or replaced the curriculum (40 percent) as two of the more widely used strategies (see September 2007 TechMIS Washington Update). Earlier in August, the Center on Education Policy (CEP) released the results of its in-depth study identifying strategies that were perceived by state and district officials as being effective in improving schools identified for improvement, including those in corrective action or restructuring. Across all schools identified for improvement, 98 percent of the districts provided training for staff in the effective use of curriculum and instructional strategies. CEP also reported that, in 2005-06, 97 percent of such districts adopted the strategy of using student achievement data to inform instruction (see July TechMIS Washington Update).

In a section entitled “Frequently Asked Questions,” the October USED guidance provides some examples of how an LEA can demonstrate that it is making decisions regarding the use of school improvement funds based on data and that it has systems for continuous feedback and improvement. One example would be an LEA or school that is using data which indicates a particular strategy or combinations of

strategies contributed to improved student achievement in similarly-situated schools. Another example would be a clear articulation that the data the district analyzed, the conclusions that were made, and how proposed uses of school improvement funds address areas where the data indicate changes are needed to improve teaching and learning. An example of continuous data analysis activity would be LEA monitoring to ensure selected strategies are actually being implemented as intended and to determine if they are contributing to the desired outcomes either in terms of improvement in student achievement or increases in other activities that lead to student achievement (such as greater parent involvement or high-quality professional development).

Other important points in the guidance include:

- The SEA must give priority to districts with the lowest-achieving schools that demonstrate (1) the “greatest need” for funds, and (2) the “strongest commitment” to ensuring the funds are used to provide support for the lowest-achieving schools. Grants may not be less than \$50,000 per school nor more than \$500,000 for each participating school. One indication of “strongest commitment” could be the LEA’s use of data to drive its decisions regarding school improvement strategies.
- An SEA may reserve up to five percent of its SIG allocation as a set-aside for administration, evaluation, and technical assistance, while at least 95 percent must be allocated to districts with schools having the “greatest need” for improvement.
- One strategy is LEA partnerships with other groups; USED guidance cites, as examples of other partners, colleges, universities, Federally-funded technical assistance providers (such as Comprehensive Assistance Centers), and regional education laboratories.
- Assuming that SIG funds are appropriated in subsequent years, the SEA is required to renew the LEAs grant for up to two additional one-year periods even if the schools in the LEA are meeting AYP; this is an important recommendation made earlier this year by the Center on Education Policy.
- The SEA must seek advice from the Title I Committee of Practitioners regarding the criteria it will use to allocate school improvement funds.
- While SEA applications for such funds must be received by USED by November 20, 2007, FY 2007 funds totaling \$125 million must be obligated by September 30, 2009.

The preliminary allocations included in the policy letter range from \$16.6 million in California to \$272,000 in Wyoming. In 2005-06, California and four other states had over 60 percent of all the schools identified for corrective action or restructuring; these states and the amount of preliminary allocations for SIG are: Illinois (\$5.6 million), New York (\$11.6 million), Pennsylvania (\$5 million), and Michigan (\$4.4 million).

One clear inference from the above is that the high priority placed on data-driven decision-making tools and services as one of three measurable outcomes in the new

USED guidance, along with new funding and likely increases next year, will result in a growing demand for such tool applications, mechanisms and related professional development, especially in schools in corrective action and restructuring. According to CEP, most districts have already begun to implement, to varying degrees, such strategies as part of overall school improvement.

Update on Early Intervening Services, Which Could Follow the Reading First Model

During an interview reported in Education Daily (October 25th, 2007), the outgoing President of the National Association of State Directors of Special Education (NASDSE), Jacquelyn Thompson, who directs the Michigan SEA Office of Special Education and Early Intervention Services, stated that in more than 250 Michigan schools, early intervening services are now being implemented and that, at the end of five years, more than 900 schools, including middle and high schools, will be implementing EIS/RTI approaches. She also noted that the state is emphasizing the use of “universal design principles” to ensure access for all special education students to all instructional materials. Over the last several years, NASDSE has become one of the major proponents of early intervening services/RTI, having produced a guide with the Council for Exceptional Children’s affiliate, the Council of Administrators of Special Education. Based on our recent discussions with district directors of special education, we identified Michigan as one of the leading states in the implementation of the new IDEA EIS/RTI provisions.

During the 70th Annual NASDE Conference in Scottsdale, Arizona recently, Thompson handed over the helm to the new president of NASDSE, Mabry Wetstone, Director of Special Education Services in Alabama. In Alabama, the state director of the Reading First program is Dr. Katherine Mitchell who has been appointed to head the National Advisory Committee for Reading First. In a recent statement, Mitchell stated that it would be difficult to identify a control group with which to compare achievement scores of Reading First students because almost all of the schools in the state have adopted Reading First assessment and instructional interventions. With Wetstone taking over as President of NASDSE, one can assume that NASDSE will continue to take a lead role in advocating the expansion of early intervening services/RTI approaches to general education and promote the use of instructional materials and interventions approved for use in Reading First.

New Initiatives Underway to Help States and Local Districts Implement Response-to-Intervention Model Approaches

Several initiatives are underway to help states and districts implement Response-to-Intervention (RTI) models under Early Intervening Services (EIS) provisions in IDEA. One initiative to assist states is the formal creation of the Center on Response-to-Intervention and the award of a \$2.8 million a year grant to American Institutes for Research to operate the technical assistance center (see July 2007 Washington Update). Under this initiative, USED plans to convene an invitation-only conference on December 6-7. The other initiative, recently reported in the September 27th Education Daily, is the RTI Action Network which has

received a two-year grant of almost \$2 million from the CISCO Systems Foundation to assist local districts by analyzing and sharing RTI strategies. The RTI Action Network will be operated by the National Center for Learning Disabilities, which, along with the National Association of State Directors of Special Education, undertook some of the initial activities several years ago to provide guidance to states and districts on implementing RTI strategies.

As we noted in the July 2007 Washington Update, in the Spring of 2005, high-ranking USED officials (including Deputy Secretary Ray Simon), stated that approximately \$10 million would be allocated to assist states in developing/adapting instruments for conducting alternative and modified assessments and for identifying interventions appropriate for use with so-called “gap students” and that the three regional Reading First Technical Assistance Centers would be providing such support. Following six USED Office of Inspector General audits of the initial implementation of Reading First which questioned the objectivity of some of the centers’ staff and consultants, competitive bids were solicited in the late Spring and USED recently awarded the contract to AIR which was not one of the three operators of the Reading First Technical Assistance Centers. As reported by Kara Arundel, freelance reporter for Education Daily, the Center on Response-to-Intervention would provide technical assistance to states through model demonstrations, information dissemination, and implementation of practices that have proven to be effective. In the September 27th Education Daily article, Louis Danielson who directs the Research to Practice Division at USED/OSERS, noted

that state officials have a great deal of interest in getting the center up and running and that “virtually every state I talk to has something going on or has started the conversation.” The newly-created Center on RTI will also assume the functions of three smaller previously funded centers, including the National Research Center on Learning Disabilities. In an earlier interview regarding the proposed Center on RTI, Danielson stated that the Center on RTI is not expected to “prescribe a single approach to RTI, although there are common characteristics of model RTI programs -- relating to levels of interventions and student progress monitoring -- that help schools make data-based instructional decisions.”

The USED-sponsored RTI Summit, scheduled for December 6-7, expects about 700 invitation-only attendees, including state leaders in both general and special education. Earlier this summer, USED hosted a similar invitation-only conference for state officials relating to supplemental educational services and effective practices used to increase student participation rates in SES. Some firms with products used to help districts implement SES activities participated. As previously reported, the RTI summit is being planned by Richard Barbacane, past President of the National Association of Elementary School Principals, with assistance from the National Association of State Directors of Special Education.

The person directing the RTI Action Network is Dr. Kathleen Whitmire, who previously was Director of School Services at the American Speech-Language-Hearing Association (ASHA). Based on comments made by Whitmire and NCLD officials, the

RTI Action Network which is funded by the CISCO Systems Foundation grant, would appear to have a great deal of flexibility. For example, Whitmire said in Education Daily that the Network will offer as broad a range of information as possible, indicating that it would identify data-supported strategies in preK-12, whereas early intervening services/RTI under IDEA focuses on grades K-3. Rather than relying primarily on reading strategies, the Network would address RTI practices in other content areas such as mathematics. It would also address problems of over-identification of minority and other students as having learning disabilities and, according to NCLD Executive Director James Wendorf as reported in the Education Daily article, “The first problem we’re addressing is the persistent low achievement of students with learning disabilities.” In a recent discussion with reporter Arundel who interviewed both Wendorf and Whitmire, it was unclear from Education Daily’s interview with Whitmire whether the Action Network would identify RTI strategies to be used for at-risk students before they might have to be placed in special education or whether the focus would be on identifying strategies to help students currently inappropriately placed in special education to exit special education by increasing their achievement in areas such as reading/language arts and math. As we have noted in the past, several districts are already taking steps to reduce current disproportionality or over-representation of minorities receiving special education services, especially since recent USED regulations allow special education students who exit the program to have their test scores counted as part of the special education subgroup for two to three years after exiting the program (see Utah state profile update in this issue).

According to Arundel, the RTI Action Network is planning to launch its website in March next year. As we noted in the November 2006 Washington Update, the International Reading Association has launched its website to help literacy coaches implement RTI approaches.

We plan to continue monitoring activities of both the Center on RTI and the RTI Action Network. For information on the Network, go to: www.nclld.org/content/view

Alabama Update

November 2007

Alabama reports that slowing economic growth in the State could result in a shortfall of as much as \$100 million in education funds. Lower-than-expected sales tax and corporate income tax collections are the principal causes. The State's Education Trust fund was growing at a rate of 6.3 percent at the end of August, well below the projected 8.5 percent rate.

As reported by Pre[K] Now, in 2005-06, Alabama's pre-K program was cited by the National Institute for Early Education Research as one of only two state programs to meet all ten of the organization's benchmarks for quality. The Governor proposed a 61 percent increase in pre-K funding for FY 2008 and the legislature went further to 85 percent, bringing the pre-K total to \$10 million. Even this amount of funding will allow Alabama pre-K programs to serve only four percent of the State's four-year-olds.

Arizona Update

November 2007

According to The Arizona Republic, Arizona is considering a proposal to raise high school math and science graduation requirements. Currently, high school seniors must earn two math and two science credits to graduate. Beginning with the Class of 2012 (next school year's entering freshmen), the math requirement would increase to three credits under the proposal. And for the following class (2009 entering freshmen), the graduation requirement would go to four math and three science credits. The State expects to have final rules published by December 31.

The Arizona Republic also reports that the State is considering ways to redraw the boundaries of 92 elementary and high school districts to establish new unified K-12 districts. One proposal would merge 13 elementary districts in Phoenix, creating the largest (112,000 students) district in the State.

As reported in Education Week, a Federal court has ruled that Arizona has until March 4, 2008 to adequately fund education programs for English language learners. The court's order is a result of the State legislature's failure to meet previous deadlines. It is estimated that about 130,000 of Arizona's one million K-12 students will be affected by the ruling.

Arkansas Update

November 2007

According to State data, of the 325 Arkansas schools identified for improvement, 77 made adequate yearly progress (AYP) last year. If the schools make AYP this school year, they will be removed from the “improvement list.” Sixty-nine of the 77 schools made AYP because they used the “growth model” for measuring improvement in performance levels. Arkansas is one of seven states authorized by USED to use a growth model to calculate AYP under the No Child Left Behind Act.

According to Pre[K] Now, the Arkansas Better Chance (ABC) program is among the best funded prekindergarten programs in the country. The program is available to children from low-income families earning up to 200 percent of the Federal poverty threshold (almost half of the State is three- and four-year-olds). The governor and legislature appropriated an additional \$39.8 million for ABC during FY 2008 to complete the phase-in of full targeted access. This brings total ABC funding to \$111 million per year.

Arkansas has, as reported in the Arkansas Democrat Gazette, approved two new alternative or merit pay systems for public school teachers. The State-funded *Rewarding Excellence in Achievement Program* is a \$2.5 million pilot program that will give pay increases to teachers in participating schools based on student performance on State exams and evaluations of each teacher’s skills and knowledge. The *Arkansas Alternative Pay Program* will use district funds for a plan that: (1) includes measurable indicators of student success; (2) is part of a larger set of school reforms; (3) is aligned to schools’ State-mandated comprehensive improvement plans; and (4) provides alternative pay equal to at least ten percent of salary. Districts must apply to the State in order to implement their plan.

California Update

November 2007

As reported in Education Week, the Committee on Education Excellence -- a panel appointed by Governor Arnold Schwarzenegger -- has made a number of recommendations for the overhaul of the State's financing structure. Among the important recommended changes is a revision in the school financing system away from the current categorical allocations in favor of a weighted formula that provides different funding for students with various needs (e.g., students with disabilities, English language learners, low-income students). Under such weighted systems, principals have greater budgetary control of their schools.

Education Week reports that, last month, the California legislature passed Assembly Joint Resolution 23 registering objections to the Federal No Child Left Behind Act. The Resolution says NCLB is not flexible enough and too reliant on reading and math scores. It also argues that parents should be allowed to remove their children from testing programs without the schools being punished under the accountability system. With respect to the pending NCLB reauthorization, the Resolution objects to the greater emphasis on test scores, new school sanctions, and espousal of merit-pay plans.

The New York Times reports that only about \$1 billion of the State's \$54 billion in K-12 education funding comes from the California lottery. The percentage is down from nearly five percent in 1985 to less than two percent this year.

Pre[K] Now reports that California's State Preschool Program will see a funding increase from \$418.6 million to \$441.7 million.

The Center on Education Policy, in its report "State High School Exit Exams: Working to Raise Test Scores," indicates that California helps its teachers in a number of ways to increase the initial pass rate on the California High School Exit Exam (CAHSEE). The State provides exam preparation materials for students and teachers, test items from prior years, remediation strategies

found successful in some school districts, and exam blueprints posted on the State website. The State also provides remediation and professional development to help students who have failed their initial attempt at the CAHSEE. In 2006-07, the State awarded \$70 million in grants to assist local districts in developing plans for CAHSEE remediation; the funds could be used for:

- individual or small group instruction
- hiring more teachers
- using diagnostic assessments
- counseling
- teacher training.

As a result of the settlement of a long-standing lawsuit (Valenzuela vs. O'Connell), California school districts will be eligible to apply for a total of more than \$70 million to provide counseling and supplemental instruction for students who finish 12th grade without passing the CAHSEE. As reported by Education Week, students will be allowed up to two years of services beyond 12th grade. The current budget also includes \$188 million for summer and after-school programs to help students prepare for the CAHSEE. Of the nearly 37,000 members of the class of 2007 who have not yet passed the CAHSEE, more than 24,000 are from low-income families and more than 18,000 are English language learners. Also, as part of the legislation, Governor Schwarzenegger vetoed a plan to provide in-State college tuition rates to illegal immigrants living in California.

According to Education Week, the Los Angeles Unified School District is instituting a plan to use social networking to improve its high school graduation rates. Known as *My Future, My Decision*, the outreach program builds on a district dropout prevention program (funded by Title I) which brought 80 special counselors into the middle and high schools with the largest numbers of students at risk of dropping out. The new program will use You Tube, My Space, and text messaging to reach students in danger of dropping out and to bring back some of the 17,000 students who have already left school without graduating. Among the key messages will be testimonials from dropouts who have returned to graduate and alternatives for earning a diploma.

Colorado Update

November 2007

According to the Rocky Mountain News, Republicans in the Colorado legislature have proposed more rigorous high school graduation requirements as well as a mandate that, in order to graduate, students must pass a proficiency exam. Colorado is one of only five states without Statewide graduation standards. Currently, graduation course requirements vary from district to district; the proposed bill would require four years of English, four years of math, three years of science, three years of social studies, two years of foreign language, one year of physical education, and one year of arts.

The Denver Post reports that, next year, the Denver school district plans to close eight of its elementary schools with low enrollments and revise the curricula at five other elementary schools. District officials estimate that the school closings will save approximately \$3.5 million which will be allocated to receiving displaced students in other schools (\$2 million), underperforming schools (\$700,000), and development of new schools (\$700,000).

Connecticut Update

November 2007

According to the Hartford Courant, Connecticut is offering \$10 million in State grants over the next two years to encourage safer schools. Known as the *School Security Competitive Grant* program, the funding will be available to local districts who demonstrate they have an emergency plan in place and show the plan was developed under the supervision of law enforcement authorities. District applications are due on November 15.

Connecticut's *School Readiness Program* (SRP) will see its funding increase from \$61.2 million to \$66.7 million in FY 2008. State funding for Head Start will also increase from \$4.5 million to \$6.7 million. Pre[K] Now also reports that Connecticut's FY 2008 budget includes \$1.6 million for the development of a Preschool Quality Rating System and \$575,000 for quality improvement in the programs.

Connecticut is one of seven states to receive a grant from the National Math and Science Initiative Advanced Placement training and incentive programs. The Hartford Courant reports that the up-to-\$13.2 million grant will help fund training and incentive programs for AP and pre-AP courses over the next six years. High schools participating in the project, which will operate in partnership with the Connecticut Business & Industry Association Education Foundation, will be located in Ansonia, Coventry, Danbury, East Hartford, Hartford, New Britain, New London, Putnam, Stamford, and Waterbury.

Delaware Update

November 2007

Delaware has adopted new Statewide academic content standards in 12 subject areas. Known as the *Delaware Recommended Curriculum*, the standards have been under development for three years. According to The News Journal, the new curriculum defines a K-12 curriculum map with benchmarks in English language arts, mathematics, social studies, science, visual/performing arts, world languages, physical/health education, family/consumer sciences; agri-science, business/finance/marketing, technical sciences, and technology education. The curriculum contains model teaching units and resources and is aligned with the State's standardized tests.

Delaware has received a \$10,000 grant from the National Governors Association to convene a Governor's Summit on Expanded Learning Opportunities. NGA's Center for Best Practices has funded the Summits in five states to examine ways to extend learning through after-school summer programs intended to support students' development by providing academic and enrichment activities.

District of Columbia Update

November 2007

According to the Washington Post, a report by the Federal Government Accountability Office says that the \$12.9 million D.C. Opportunity Scholarship voucher program lacks financial controls and has not ensured that participating schools are accredited. The four-year-old program serves 1,900 students in 58 participating private schools. The GAO's random sample of 18 schools found two lacked occupancy permits, four lacked permits to use buildings for educational purposes, and seven were certified as child development centers not private schools. The schools had been allowed to self-report that they were in compliance with city regulations.

Florida Update

November 2007

Eric Smith has been selected as Florida's new education commissioner. He has been a superintendent in school districts in Maryland, Virginia, and North Carolina, receiving praise for his efforts to establish a highly regarded prekindergarten program and reducing achievement gaps during his time at the Charlotte-Mecklenburg (N.C.) school district. He is leaving a position as Senior Vice-president at the College Board.

As reported in Education Week, the Florida legislature convened a special session in October to make \$750 million in cuts to offset the State's large budget shortfall. It is expected that the cuts will be about one percent of the \$33.3 billion school budget, including \$147.5 million from the State's merit-pay plan for teachers and reduced State aid for students attending private colleges, as well as higher tuition for State universities and community colleges.

Pre[K] Now reports that the Florida legislature has cut prekindergarten funding for FY 2008 from \$390 million to \$376 million. The State's *Voluntary Prekindergarten Program* (VPK) has seen a lower-than-expected enrollment although per-student spending will increase by more than \$100 in FY 2008. Even flat-funding of VPK would have made \$14 million available for improving the program.

The Center on Education Policy, in its report "State High School Exit Exams: Working to Raise Test Scores," indicates that Florida provides exam preparation materials for teachers and students, as well as prior year test items, to help raise the initial pass rate on the Florida Comprehensive Assessment Test (FCAT). The State also provides districts with assistance for students who have failed their initial attempt at the FCAT through targeted remediation and teacher professional development in specific content areas and in the formative uses of assessment.

According to Education Week, Miami-Dade County's three-year-old initiative -- the *School*

Improvement Zone -- has had some positive effects for the \$37 million it spends annually to improve 39 of the district's worst schools. The *Zone* has provided the schools with longer school days, a longer school year, extra teacher training, and instructional coaches in reading and math. Specifically, *Zone* schools have provided double literacy and math periods for low-performing students, more frequent interim assessments to inform instruction, a 20 percent pay bonus for the added teacher hours and a requirement that teachers complete 56 hours a year of professional development. Florida's tight budget situation has made it difficult to maintain the program in its current form, but district officials expect many of the changes to be retained.

The Miami-Dade County school district has initiated a project known as *Elevate Miami* by which students can earn rewards for good grades, high attendance, and good behavior. As reported in the Miami Herald, sixth-graders can receive laptop computers if they perform and behave well in school and if they demonstrate good Internet skills, if their parents take software and Internet safety classes through the district's Parent Academy. Third-grade students who participate can earn tickets to museums and cultural events. And 11th-graders can earn internships with Miami employers.

In Palm Beach County, the district has embarked on a \$2.8 million restructuring program for its 26 chronically failing schools. Under the restructuring plan, each of the struggling schools will be visited by an all-star team of former principals and teachers who will provide data analysis and teacher training to help the schools improve their performance. Specialists in each content area will consult with teachers about ways to improve their classes. Students would be tested every one or two weeks to ensure the instruction is being absorbed.

Georgia Update

November 2007

State data indicate that more than 70 percent of Georgia students are graduating from high school compared with only about 60 percent four years ago. With a total State enrollment that is 10,000 students higher than last year, the number of dropouts fell by more than 2,200. Georgia is spending \$21.3 million this year to put graduation coaches in middle schools as well. As reported in Education Week, Georgia's graduation coach initiative, begun in 2006-07, has put 330 full-time graduation coaches in every public high school in the State at a cost of \$21 million. New middle school coaches, added this school year, will cost another \$25 million. About 350 private sector volunteers have also been added to the corps of coaches. A non-profit organization -- Communities in Schools of Georgia -- provides training for the coaches and has developed a list of recommended projects (e.g., job-shadowing, mock interviews, job application assistance).

Pre[K] Now reports that Georgia's Pre-K Program will see its funding increased from \$309 million to \$325 million in FY 2008, serving an additional 2,775 children.

Hawaii Update

November 2007

The U.S. Department of Education's Native Hawaiian Education Program has awarded a total of \$3.5 million in grants to eight Hawaii organizations -- all in the Honolulu area -- for innovative projects to improve education. The projects range from beginning reading to gifted-and-talented programs. An additional grant of \$345,000 went to the University of Hawaii at Hilo to establish services promoting literacy and oral proficiency among K-3 students at Hawaiian Immersion Program schools.

The U.S. Department of Education has awarded \$496,000 to three organizations in Hawaii to help design and establish new charter schools.

- Kona Pacific Public Charter School (Kealahou) will receive \$164,000 to create a charter school initially for K through fifth grade, expanding eventually to 12th grade.
- Hawaii Technical Academy (Ewa Beach) gets \$174,000 to create a school starting with 250 students in K through tenth grade, expanding to 1,000 students in K-12 within two years. The teaching system will combine face-to-face instruction with small group sessions and Web-conferencing.
- Hauula Public Charter School (Hauula) will receive \$159,000 to create an alternative school in a community with high rates of poverty, violence, and drug use.

According to The Honolulu Advertiser, close to 100,000 reading and math exams from last Spring's State assessment will have to be rescored after teachers noticed a large number of errors. Most of the errors occurred in questions students didn't answer. The testing contractor, American Institutes for Research, will rescore the tests. State officials say the test score revisions will not cause any schools to miss adequate yearly progress (AYP) under the No Child Left Behind Act; in fact, some schools that apparently missed AYP may have their designation reversed.

Illinois Update

November 2007

As reported in Education Week, the Illinois budget is typically passed in May of each year. This year, however, the legislature failed to agree on a budget in the Spring sessions, but instead passed a \$50.7 billion budget in August without providing the budget-implementation bill detailing where the budget goes. Schools had expected a \$550 million budget increase, but are currently receiving funds based on the FY 2007 K-12 budget of \$6.5 billion (without the increase).

As reported by the Chicago Tribune, last year, 896 Illinois public schools failed to meet academic targets under the Federal No Child Left Behind Act -- up by 30 percent from the year before. Moreover, another 570 schools would have missed the targets had not the State used flexibility provisions of the Law to adjust test results. Almost a third (297) of the failing schools missed targets because of poor performance by their special education students. Of the failing schools, 267 have been identified as failing for six years in a row, meaning they are subject to “restructuring” -- i.e., State takeover, new management and staff, or curriculum replacement.

As reported by Pre[K] Now, the Illinois legislature appropriated a \$25 million increase -- to \$305.5 million -- for the State’s Early Childhood Block Grant, far less than the \$61.8 million increase requested by the Governor. The appropriation includes \$22.25 million for the State’s Preschool for All program and an 11 percent annual set-aside for infant-toddler services.

Indiana Update

November 2007

According to Education Week, many Indiana school districts had expected increases in property-tax revenue because of a higher assessment rate. But skyrocketing assessments caused taxpayer complaints that, in turn, resulted in revised assessments in some counties. Many hard-pressed districts are having to borrow funds and are feeling the pinch because of the interest costs.

As reported in The Louisville Courier-Journal, Indiana is one of four states (along with Alaska, North Carolina, and Virginia) participating in a Federal pilot project to provide earlier access to free tutoring under the No Child Left Behind Act. At least three school districts -- Decatur Township Schools, Monroe County Community Schools, and Blackford County Schools -- are allowed to offer tutoring in the first year for a school in improvement status and school choice in the second year (the reverse of normal NCLB sanctions). Some Indiana schools have participated in the pilot program for two years, not enough time to determine whether the switching of sanctions has an impact on student test scores.

In its report “State High School Exit Exams: Working to Raise Test Scores,” the Center on Education Policy indicates that Indiana provides technical assistance to school districts in order to raise the initial pass rate on the State’s Graduation Qualifying Examination (GQE). This assistance is in the form of State specialists, online help, test preparation materials for teachers and students, and test items from prior years. Indiana also provides targeted remediation for students who have failed their initial taking of the GQE.

The Indianapolis Star reports that Indiana plans to move the ISTEP-Plus State assessment from the Fall to the Spring beginning in 2009; this will allow students to be tested on materials they learned during the school year, not what they retained over the summer. The ISTEP writing test will be administered in March with the rest of the exam given in April and May. Results will be available to students and teachers before the end of the school year. The testing change will reduce the annual cost of ISTEP from \$31 million to \$28.5 million. Indiana will also eliminate

the controversial Graduation Qualifying Exam, replacing it with end-of-course assessments in language arts, math, and science.

Iowa Update

November 2007

The Des Moines Register reports that 90.7 percent of Iowa's 1,491 public schools made adequate yearly progress (AYP) last year under the Federal No Child Left Behind Act -- up from 83 percent the year before. Much of the increase can be attributed to a shift in how improvement is calculated in the State. Instead of comparing snapshots of each grade from year to year as in the past, the new calculation compares students' progress as they move through school -- the growth model. Of the 121 Iowa schools that missed AYP, 13 are Title I schools. Six of these -- King, Johnson, Prescott, and McKinley Elementary and Hiatt and Harding Middle -- must offer the transfer option and supplemental educational services/tutoring (SES); another two schools -- Perry Elementary and Storm Lake Middle -- must offer transfers and SES and also prepare a corrective action plan.

According to The Des Moines Register, Governor Chet Culver has proposed a model core curriculum that all Iowa school districts would adopt within the next three years. State officials say the model standards would offer more flexibility to schools in determining the classes to offer but they have not yet decided whether the curriculum would be mandatory or brought about through incentives. Mandatory standards would require more funding for teacher training and other cost of curriculum adoption.

As reported in School Reform News, Iowa Governor Culver has signed into law Senate File 601 which expands the State's *School Tuition Organization Tax Credit* limit from \$5 million this year to \$7.5 million in 2008. Since the program's inception in 2006, Iowa taxpayers have received tax credits worth 65 percent of their contributions to organizations that provide scholarships for students to attend accredited private schools. To be eligible, families must earn less than three times the Federal poverty amount guidelines.

Kentucky Update

November 2007

The Kentucky Preschool Program will, according to Pre[K] Now, see its funding increase from \$51.6 million to \$75.1 million per year for each year of the next biennium.

According to the Lexington Herald-Leader, Kentucky has received a \$450,000 grant from the Charles Stewart Mott Foundation to increase the number of afterschool programs in the State. The *Kentucky Child Now* program will receive \$75,000 per year for the next three years from the Mott Foundation and matching funds from the State budget. The money will be used by *Kentucky Child Now* to establish partnerships and create Statewide legislation and/or policy to improve students' access to high-quality afterschool programs.

Louisiana Update

November 2007

Concerned about low pass rates on the Louisiana Educational Assessment Program (LEAP), State officials have put forth a proposal that would make it easier for eighth-graders to pass the exam which is required for promotion to high school. As reported by The Advocate, the LEAP is intended to ensure that fourth-and eighth-grade students are proficient in English and math before they are promoted to the next grade. The proposal would offer alternatives for students who fail the eighth-grade exam twice, including possibly a combination of the test scores in different subjects.

Louisiana's prekindergarten program (*LA4*) received an increase of \$26.4 million for FY 2008, bringing the program's total to \$83 million according to Pre[K] Now. Serving four-year-olds from families earning up to 185 percent of the Federal poverty threshold, *LA4* will now serve 4,400 more children, bringing the total enrollment to 14,400 (about 23 percent of the State's four-year-olds). In combination with Louisiana's other prekindergarten programs, *LA4* expects to be serving all of the State's at-risk children this Fall.

The New Orleans Times-Picayune reports that 41 of 79 operating New Orleans public schools are charter schools, as are 27 of the 60 Recovery district schools. Overall, about half of New Orleans students go to charter schools. The Recovery District plans to give school principals more autonomy over their operations, including the authority to hire and fire school staff and more control over their budgets.

As reported in Education Week, the New Orleans Recovery School District has issued laptop computers to about 4,000 high school students, as well as to eighth-graders who failed the State assessment and were not promoted to ninth grade. Under a \$1.67 million lease arrangement with Epic Learning, the program is part of a \$53 million initiative by the Recovery district to modernize rundown classrooms and improve student achievement.

Maine Update

November 2007

A new State law in Maine encourages high school seniors to complete at least one post secondary school application. The State has proposed making it a graduation requirement for seniors to apply to college. The change in graduation requirements would require legislative approval and, if passed, would become effective for the Class of 2009. The State has urged high schools to adopt the policy voluntarily for current seniors (Class of 2008).

A recent study by the Maine Education Policy Research Institute has found that the State's laptop program -- which gives a laptop computer to every seventh and eighth grade student -- has led to better writing skills. Looking at student scores in 2005 and 2000 (before the laptops were first distributed), the study found that 49 percent of eighth-graders were proficient in writing, compared with 29 percent in 2000. Moreover, students who reported using their laptops in all phases of the writing process scored significantly higher than those who said they did not use their laptops for writing.

Maryland Update

November 2007

Maryland's \$1.7 billion budget shortfall has caused the Governor to propose a reduction in the planned increase of \$288 million in education spending to \$119 million. The Governor has recommended a two-year freeze on inflation-based increases and a 2.5 percent cap on future spending increases.

Included in the State's school funding formula, Maryland's Prekindergarten Program is expecting to be funded at \$84.6 million for FY 2008. State funding for Head Start will be flat-funded at \$3 million.

Maryland's debate over the State's high school exit exams continues. State data show that 68 percent of the Class of 2009 (the first class subject to the exit exam requirement) have passed the English portion of the High School Assessments (HSAs), as have 77 percent in algebra, 71 percent in government, and 62 percent in biology. The Baltimore Sun reports that many organizations -- including teachers, principals, school boards, and the American Civil Liberties Union -- have expressed opposition to the requirement. The State Superintendent has proposed allowing students who fail the exam three times to do a senior project instead. Critics of the exams question whether the State's estimate of the number of students who will fail the exam three times (2,000-3,000) is accurate and whether adequate options are available for those students. Under current regulations, Maryland seniors can also get a diploma by getting a minimum composite score on all four tests. Overall about two-thirds of Maryland students are passing the HSAs, but only one third of the State's 30,000 special education students are passing. In the Spring, the State superintendent said she would delay the tests for special education students and English language learners. In August, she changed her mind and offered the senior project as an alternative for students who fail the HSAs several times.

According to the Baltimore Sun, the number of suspensions from Maryland schools has risen far faster than enrollments. In 2005-06, 8.7 percent of the students in the State were at one time

under suspension. Moreover, boys, African-Americans, and special education students were more likely to be suspended than other students. The legislature has passed a law that would require elementary schools to adopt programs to lower the number of suspensions if rates exceed a specific level.

The Baltimore Sun Reports that the Baltimore County school district (a large suburban district near Baltimore City) is planning to pilot test a full-time online school this school year. To be operated by the for-profit Connections Academy, the virtual school will provide certified teachers and Internet-based lesson plans specifically for home-schooled students. Called the Baltimore County Virtual Instruction Program, the school will enroll up to 200 students during its pilot phase. If the program is adopted after the pilot test, Connections Academy will charge the district a negotiated per-student rate. Currently operating virtual schools in 12 states, Connections Academy typically charges \$5,500 to \$6,000 a year for each student.

Massachusetts Update

November 2007

An organization called Business Leaders for Charter Public Schools is urging the Massachusetts legislature to raise the cap on the percentage of school district budgets that can be allocated to charter schools from nine percent to 20 percent. They argue that a recent State study shows charter schools outperform traditional schools. The initiative is opposed by many educators including the Boston Teachers Union.

According to Pre[K] Now, Massachusetts' *Universal Pre-Kindergarten* (UPK) program will have its funding increased from \$4.6 million to \$7.1 million for FY 2008. State funding for Head Start will also increase -- from \$8.5 million to \$9 million. In addition, the Preschool Direct Services portion of the *Community Partnerships for Children* program will be flat-funded at \$47.6 million. Another \$250,000 has been appropriated for a quality rating system for UPK providers.

The Boston Globe reports that more than 25 percent of the Massachusetts high school students who took the Massachusetts Comprehensive Assessment System (MCAS) science exam failed. And many of the State's urban high schools had failure rates of more than 50 percent. Beginning with the Class of 2010, students will be required to pass one science MCAS exam -- biology, chemistry, physics, or technology/engineering -- in order to graduate. State officials have expressed grave concern over the low scores and have suggested schools will have to pay more attention to how science is taught.

Michigan Update

November 2007

Education Week reports that Governor Jennifer Granholm has given the Michigan legislature a 30-day extension to November 1 to pass a final FY 2008 budget. The Governor has proposed increasing funds for education by 2.5 percent over the FY 2007 total of \$12.1 billion.

According to the Huron Daily Tribune, Democrats in the Michigan legislature have developed a plan to allocate more State funds to 774 of the State's poorest school districts. Lower-funded districts would receive additional money to equalize the amounts distributed by the State to school districts. Under the plan, about \$20 million would be available in the first year for these equity payments through the Michigan School Aid Fund.

The Michigan Department of Education has awarded a \$660,000 grant to the Michigan Association of Computer Users in Learning (MACUL) through the Federal E²T² (Title IID) program. Under the grant, MACUL will design and implement a Statewide professional development model that will create the skill set necessary for school-based "Technology Integration Champions." The grant will provide resources for potential educators to participate in training and will implement a Statewide initiative addressing the concepts of Universal Design for Learning.

Minnesota Update

November 2007

Minnesota's School Readiness Program will have its funding increased from \$9.1 million to \$10.1 million for FY 2008, according to Pre[K] Now, and State funding for Head Start will go from \$19.1 million to \$20.1 million per year. In addition, the State's new *Pre-K Exploratory Projects* will get funding of \$2 million in FY 2008 and \$4 million in FY 2009. The State's budget also includes \$33 million to expand full-day kindergarten.

In its report, "State High School Exit Exams: Working to Raise Test Scores," the Center on Education Policy indicates that Minnesota does not provide technical assistance or remediation to districts in order to raise the initial pass rate on the new Graduation Required Assessments for Diploma (GRAD), nor does it provide assistance for students who have failed the GRAD. The State does provide prior year test items.

Mississippi Update

November 2007

A number of schools and non-profit agencies in Mississippi will receive computers from a computer donation program through the U.S. Treasury Department, the General Services Administration, and the offices of U.S. Representative Bennie Thompson (D-Mississippi). Among the recipients are a number of churches and community organizations, as well as the Leflore Elementary School in Itta Bena.

As reported in the Jackson Clarion Ledger, Mississippi has established a web page -- the *Mississippi Curriculum Framer* -- that will allow all public school teachers to see lessons and samples of learning activities. Costing the State \$1.6 million for development, the website was designed by the New Jersey-based Authentic Education and is being rolled out slowly to allow educators time to become accustomed to the tool.

Nevada Update

November 2007

School Reform News reports that the Nevada Senate has unanimously approved Senate Bill 158 that would give scholarships (vouchers) to special needs students to attend the private or public school of the parents' choice. The bill was still pending in the Assembly when the regular legislative session ended in June. The next scheduled legislative session is in 2009.

As reported in the Las Vegas Review-Journal, the issue of dropout rates in Nevada has raised controversy and confusion. The State recently reported that the dropout rate in the 2006-07 school year was 4.6 percent, the lowest in more than a decade. An earlier report had measured the State's dropout rate at 11 percent in 2004-05. Conversely, the Nevada Kids Count Data Book, using State data, put the 2004-05 rate at 5.7 percent. A report, conducted for the Bill & Melinda Gates Foundation, states that no one really knows how many dropouts there are because students generally are not tracked over time. Dropout rates are calculated based on differences in annual enrollments.

The Center on Education Policy, in its report "State High School Exit Exams: Working to Raise Test Scores," indicates that Nevada provides assistance to local school districts in an effort to raise the initial pass rate on the State's High School Proficiency Examination (HSPE). This assistance includes exam preparation materials for teachers and students, prior year test items, and funding for local programs designed to increase initial pass rates on the HSPE. The State also provides some funding to districts for programs to help students who have failed their initial attempt at the HSPE, but does not provide direct instruction or materials for such programs.

New Jersey Update

November 2007

According to the National Assessment of Educational Progress (NAEP), New Jersey showed the second best results in the nation (next to Massachusetts) on fourth grade reading tests. Statewide scale scores for fourth-graders increased from 223 in 2005 to 231 in 2007 and improved in seven of the eight demographic groups tested. The gap between black and white students decreased by ten points, the largest gap reduction in the U.S. New Jersey's fourth-grade math scores also increased substantially.

As reported in Education Week, a State court has dismissed a lawsuit that sought vouchers for students in low-performing schools. Participants in the class action wanted State funding to send their children to private schools or better public schools. The State argued that the suit was an attempt to have the court legislate a voucher system.

Pre[K] Now reports that funding for New Jersey's *Abbott Preschool Program* (for high-poverty school districts) will increase slightly from \$460.1 million to \$463.2 million in FY 2008. The State's new *Preschool Expansion and Enhancement Grant* (for non-Abbott districts) will receive inaugural funding of \$10 million. The State's *Early Childhood Program Aid* (\$30 million) and *Early Launch to Learning Initiative* (\$3 million) will be flat-funded.

A recent report by the New Jersey School Boards Association said that 57 percent of the \$3.3 billion spent on special education in New Jersey is paid for by local school districts. The Association has asked the State to pay for a larger share and has suggested revising the State's special education funding formula which, according to the Association, encourages classification of special education students in higher-cost categories.

In its report, "High School Exit Exams: working to Raise Test Scores," the Center on Education Policy indicates that New Jersey tries to increase initial pass rates on its High School Proficiency Assessment (HSPA) by providing technical assistance to teachers through exam preparation

materials, online assistance, and train-the-trainer workshops. The State also provides online assistance and exam preparation materials to help students pass their first try at the HSPA and also offers targeted remediation for students who do not pass on their first try.

According to the Courier-Post, a newly-formed coalition of mayors (called the New Jersey League of Municipalities) has asked Governor Jon Corzine to increase State aid for suburban school districts. The NJLM argues that the State funding formula has led to unequal distribution of the \$3 billion in State funding allocated to State aid for schools. Discussions between the State and NJLM are expected to continue through the Fall.

New York Update

November 2007

Given \$50 million in new funding in FY 2007, New York's *Universal Prekindergarten* (UPK) program saw an increase of \$146 million in FY 2008, bringing the program's total to \$450 million and serving an additional 44,000 four-year-olds. According to Pre[K] Now, New York Governor Eliot Spitzer has committed to making UPK accessible to all four-year-olds within four years.

According to The New York Times, revenues for education from the State lottery have risen from \$1.3 billion in 2000 to \$2.2 billion last year. However, the proportion of lottery revenues kept for education has dropped from 38 percent to 32 percent.

The Center on Education Policy, in its report "State High School Exit Exams: Working to Raise Test Scores," indicates that New York State provided assistance to local districts in order to raise initial pass rates on the State Regents Examinations in form of State specialists and online assistance, as well as prior year test items. The State also has a Regional Technical Assistance System in seven regions of the State which provides technical assistance to districts with the most at-risk students.

The New York Times reports that, in an effort to raise the State's high school graduation rates, New York is planning to allow, each year, as many as 12,000 potential dropouts to take college courses while still in high school, receiving both high school and college credits. Under the plan, students could get a high school diploma and an undergraduate degree in seven years. A recent study of similar dual-enrollment programs found that participating students (particularly low-income students) were more likely than other students to complete high school and enroll in a post-secondary institution. State officials plan to ask for \$100 million to pay for the program which hopes to begin enrolling students in the Fall of 2009.

As reported in The New York Times, New York City and the City's teachers union have agreed

to a plan that would give teachers bonuses based, in large part, on student test scores. The plan, to be implemented in schools with high concentrations of poor students, would go to schools for overall school performance and then distributed to teachers. Each school would have a “compensation committee” -- consisting of the principal, a principal’s appointee, and two teachers -- that would distribute the bonus money. If approved by the State legislature, the plan would provide a total of about \$20 million in bonuses for 200 of the city’s highest-need schools, expanding to 400 schools next year. This year’s bonuses would be funded from private sources; next year, the City will finance the bonuses.

North Carolina Update

November 2007

North Carolina has launched its *Learn and Earn Online* Web site designed to allow high school students to take online college classes and, after five years, earn both a high school diploma and an associate degree. The *Learn and Earn* initiative (non-Web version) is already operational in 41 North Carolina high schools. It is estimated that 277 high schools in the State have the connectivity to participate this year and the other 129 schools should be connected next year.

According to Pre[K] Now, North Carolina's *More at Four* prekindergarten program has been largely flat-funded despite the Governor's proposal for a 70 percent increase. In reaction, the Governor issued an executive order releasing some expansion funds for prekindergarten programs.

According to The New York Times, the North Carolina State lottery has fallen well short of expectations. Projected to generate \$400 million to \$500 million a year for education, the lottery produced only slightly more than \$300 million in its first year.

Ohio Update

November 2007

As reported by Pre[K] Now, Ohio's Early Childhood Education program, after nearly two decades of flat funding, will receive a funding increase of more than 90 percent during the next biennium, bringing the total budget to \$36.5 million. Currently, *Early Childhood Education* serves only four percent of Ohio's four-year-olds and only one percent of its three-year-olds.

The Center on Education Policy, in its report "State High School Exit Exams: Working to Raise Test Scores," indicates that Ohio provides technical assistance to districts to raise initial pass rates on the Ohio Graduation Tests (OGT) in the form of online assistance, State specialists, train-the-trainer workshops, a toll-free hotline, and test preparation materials for teachers and students. To help students who have failed their initial attempt at the OGT, the State offers content-area professional development for teachers and targeted remediation for students (the *Operation Extend* summer program). Ohio requires that low-performing districts give a ninth-grade test to identify students at risk of failing the OGT in the tenth-grade and the State provides funds for interventions with students who score below "proficient" on any State assessment.

Ohio, along with Oregon and Texas, has received a Federal grant for a pilot program to enhance the State's capabilities in foreign languages and trade. Funded at \$333,333, the plan -- known as the *Ohio Language Roadmap for the 21st Century* -- incorporates a number of components to allow the State to better compete globally, including:

- a one-stop shop (called the *Ohio Language and Culture Service Center*) where residents and businesses can get interpretation services, teacher training, overseas opportunities, assistance in establishing foreign websites, etc.
- extended foreign language training -- from prekindergarten to adult -- in Spanish, French, German, Japanese, Chinese, Russian, Arabic, and Farsi.
- Internet-based language course to increase the number of foreign language teachers.
- a set of tools that specify what students should learn at every education level.

As reported by Education Week, funding for the program comes from the U.S. Departments of

Commerce, Defense, and Labor.

Oklahoma Update

November 2007

As reported in The New York Times, the Oklahoma State lottery, expected to generate \$52 million for the schools last year, produced only \$37 million.

Oklahoma is considering a proposal that would lengthen the school day by one hour (to seven hours of classes) and extend the school year by five days (to 180 school days). A Statewide task force is analyzing the cost and other implications of such changes and expects to make its report by the end of November. It has been estimated the additional five school days would cost \$80 million to \$100 million. Under State law, districts have the flexibility to make the changes, but are unlikely to do so with more funding from the State.

Pennsylvania Update

November 2007

Despite a dramatic budget standoff between the Governor and the legislature, a first-time FY 2008 appropriation of \$75 million for prekindergarten programs was approved. The new appropriation will make the State's *Pre-K Counts* program available to 11,000 more Pennsylvania three- and four-year-olds. It also creates dedicated funding for prekindergarten, previously part of a larger education block grant. In addition, a \$25 million increase (to \$275 million) in the Accountability Block Grant includes \$15.7 million for prekindergarten.

Some members of the Pennsylvania State legislature are pushing for legislation to ban teacher strikes in the State. As advocated by an organization called Stop Teacher Strikes, Inc., the initiative could have greater success than in 2005-06 when similar actions failed. Proponents of the initiative are attempting to generate greater public pressure by linking the issue to rising property taxes.

According to the Pittsburgh Post-Gazette, free tutoring for low-income students in low-performing schools is available this year in six Pittsburgh high schools under the Federal No Child Left Behind Act (NCLB). To be provided by community groups or private companies, the tutoring will be available at Carrick, Oliver, Peabody, Perry, Schenley, and Westinghouse high schools. Originally the State had given the Pittsburgh district a waiver to provide the tutoring under NCLB's supplemental educational services provision; the district later learned the State had no authority to grant such a waiver and decided to have its area BOCES provide SES.

Rhode Island Update

November 2007

As reported in The Providence Journal, the Rhode Island Board of Regents has proposed a number of changes to the State's special education regulations. Among these proposed changes are:

- eliminating the class-size restriction of ten students per self-contained classroom for special education students;
- no longer offering a 230-day extended school year for severely disabled students; and
- reducing services to students who go to private schools.

As reported in The Providence Journal, this year's seniors are the first to face new requirements for graduation. High schools must complete at least 20 courses in six core areas (English, math, science, social studies, technology, and the arts) and must pass Sate tests in English and math during their junior year. Seniors must also complete two out of three options (selected by the district) -- a senior project, end-of-course exams, or a multiyear portfolio. Districts can decide how much weight to place on the various requirements. State officials believe about a quarter of the State's districts are well prepared for the changes, about half are somewhat prepared, and a quarter have reportedly made little progress.

South Carolina Update

November 2007

In its report, “State High School Exit Exams: Working to Raise Test Scores,” the Center on Education Policy indicates that South Carolina provides assistance to help school districts increase the initial pass rate on the State’s High School Assessment Program (HSAP) through exam preparation materials for teachers and students, online practice materials, and prototype test forms for English/language arts and mathematics. The State does not provide remediation assistance for districts to help students who have failed their initial attempt at the HSAP.

Tennessee Update

November 2007

As indicated in its report, “State High School Exit Exams: Working to Raise Test Scores,” the Center on Education Policy has found that Tennessee provides a range of assistance to help districts improve the initial pass rates on the State’s Gateway Examinations, including online assistance State specialists, and train-the-trainer workshops for teachers and State-developed exam preparation courses and materials for students. The State does not provide assistance to help districts remediate students who have failed their initial attempt at the Gateway Exams.

Texas Update

November 2007

The Texas Education Agency plans to contract for the use of the Fitnessgram assessment to study the fitness levels of the State's students. Developed in 1982, Fitnessgram has been used in more than 65,000 schools nationwide, including more than 1,000 in Texas. Distributed by Human Kinetics, Fitnessgram costs \$230 per school. State officials project the total cost of the program to be about \$2.5 million.

As reported by Pre[K] Now, the Texas legislature has, in recent years, expanded eligibility for the State's *Early Childhood and Pre-Kindergarten Initiative*. For FY 2008, the Governor has proposed \$40 million in new funding to improve the State's prekindergarten program using the *Texas Early Education Model* (TEEM). The legislature, however, rejected the proposal and, in fact, cut funding for TEEM by 25 percent and cut other prekindergarten funding by a small amount.

According to the Center on Education Policy -- in its report "State High School Exit Exams: Working to Raise Test Scores" -- Texas funds district programs to raise initial pass rates on the Texas Assessment of Knowledge and Skills (TAKS) and also provides exam preparation materials (including prior year test items) for teachers and students. The State also offers targeted remediation for students who fail their initial attempt at the TAKS.

Utah Update

November 2007

A recent poll conducted for the Deseret Morning News found that 49 percent of Utah residents definitely opposed creation of a school voucher program and 11 percent were probably opposed. The poll of 409 registered voters was taken between September 29 and October 4. Under the State's proposed voucher plan, families of students switching to private schools would receive \$500 to \$3,000 per child depending on family income. Students already in private schools would not be eligible for the vouchers.

Also reported in the Deseret Morning News, Utah's four largest school districts (Alpine, Davis, Granite, Jordan) petitioned the State to use the three-year average rule when determining schools making adequate yearly progress (AYP) under the Federal No Child Left Behind Act. Before Statewide reports were issued in mid-September, 17 schools' AYP failures in Davis and ten in Jordan were overturned, as were 11 in Granite and nine in Alpine, leaving a total of 256 Utah schools that failed to make AYP. Following issuance of the Statewide reports, another 25 Granite schools and nine Alpine schools were taken off the "failed AYP" list because of the three-year average rule or the rule that allows special education students who leave special education to have their scores counted with the disabilities subgroup for two years.

Virginia Update

November 2007

In its report, “State High School Exit Exams: Working to Raise Test Scores,” the Center on Education Policy indicates that Virginia offers assistance to help districts improve initial pass rates on the States’ Standards of Learning (SOL) End-of-Course Exams in the form of:

- technical assistance to help schools identify students at risk of failing, including State specialists, online assistance, and State grants;
- State-developed test-preparation courses; and
- Prior year test items.

The State also offers assistance so districts can help students who have failed the SOL exams, including targeted remediation for students, content-area professional development for teachers, and additional professional development for teachers in helping academically at-risk students.

Washington Update

November 2007

A recent study, conducted by the Center on Reinventing Public Education at the University of Washington, analyzed teacher attitudes toward merit-pay systems. Based on a sample of more than 5,200 teachers in the State, the survey indicated that teachers support extra pay for teachers in hard-to-staff schools but, in general, strongly dislike merit-pay plans based on student achievement. However, high school teachers, compared with elementary teachers, were more supportive of merit pay and teachers in schools with higher proportions of disadvantaged students were more likely to support merit pay plans.

Education Week reports that the Washington State legislature has delayed until 2013 the requirement that students pass the tenth-grade math portion of the Washington Assessment of Student Learning (WASL) in order to receive a diploma. Students are still required to pass the reading and writing sections of the WASL to graduate and those who do pass the math section can receive a Certificate of Academic Achievement. State data indicate that more than 80 percent of the Class of 2008 has already passed the reading and writing sections.

West Virginia Update

November 2007

As reported in the Charleston Daily Mail, State education officials in West Virginia, concerned over low math scores on standardized tests, have proposed revisions to the objectives of all math classes and the creation of a new high school course -- Algebra III. All content standards and objectives in math classes Statewide will be made more rigorous. The Algebra III class is intended to ease student transition from Algebra II to trigonometry and pre-calculus. The class is already available in some high schools.

The Charleston Gazette reports that, with close to 6,000 West Virginia teachers eligible for retirement next year, the State could face a major teacher shortfall. The State has established a group -- consisting of State officials, higher educators, and business officials -- to explore better methods for recruiting, retaining, and compensating teachers. Among the areas to be considered are improving salaries and speeding teacher certifications. The State is also revising its professional development structure for teachers.

Wyoming Update

November 2007

A commission appointed by the Governor has recommended that Wyoming spend \$15 million per year, for the next four years, to train people for high-demand jobs in the State. The recommendations are part of a report from the Governor's Community College Study Commission that was submitted to the Governor on September 15.

Education Week reports that the new availability of the State's Hathaway Scholarships which provide \$800-\$1,600 a semester in college tuition, has resulted in lower enrollments in Advanced Placement and International Baccalaureate programs. Students are apparently concerned that possibly lower grades in the more rigorous courses could make them less competitive for the Scholarships which are based on ACT scores and grade point averages. The State is considering revised grading structure under which grades in advanced classes would be weighted more heavily than regular classes. The State also plans to establish standardized outlines for classes in the Hathaway's "success curriculum" -- the set of courses students must take to be eligible for a Hathaway Scholarship.