

Education TURNKEY Electronic Distribution, Inc.

256 North Washington Street
Falls Church, Virginia 22046-4549
(703) 536-2310
Fax (703) 536-3225

MEMORANDUM

DATE: April 29, 2010
TO: TechMIS Subscribers
FROM: Charles Blaschke and Blair Curry
SUBJ: Stimulus Expenditures, SIG Guidance Updates, Rural District Opportunities, and State Profile Updates

In late March and April, a variety of developments occurred in addition to the “clarifications” on i³ grants which were included in our April 12th TechMIS Stimulus Funding Alert. Many of these developments and survey reports have implications for many TechMIS subscribers.

The Washington Update includes the following:

- **Page 1**
The most recent American Association of School Administrators survey on the impact of reduced state funding on district expenditures has found that more districts are planning cuts/deferrals of instructional-related purchases next year compared to this year in anticipation of the so-called Federal “funding cliff” at the end of next year. The survey responses were, for the most part, from rural district superintendents and were not a representative sample.
- **Page 2**
Related to the above, USED’s most recent spending report on ARRA stimulus funds estimated that only about a quarter of the \$22 billion in stimulus funds for IDEA and Title I have been obligated by districts through mid-April even though the amount of outlays per state varied from 2% to 100%. In states/districts which did not receive waivers to carry over more than the 15 percent limitation for Title I funds this year to next may offer opportunities for a May/June purchasing cycle.
- **Page 8**
The most recent School Improvement Grant guidance (March 24th) provides some additional flexibility for districts regarding replacing principals, but continues to adhere to the priority focus on eligible Tier I and Tier II schools. Only under certain conditions can Tier III schools be served using SIG funds this year.

- **Page 10**
Highlights of comments by Secretary Duncan and Education Committee Chairman Miller before the Council of the Great City Schools Annual Legislative Conference and the general impressions we gleaned from attendees in offline interviews with other policy makers on ESEA reauthorization, burning issues, and district's officials' priorities.
- **Page 12**
Several new reports suggest that alternative schools, particularly those in rural school districts, could provide good opportunities for firms with certain types of products and services such as online or professional development and explicit instruction.
- **Page 14**
The Health Reform Act recently passed by Congress includes more than \$40 billion in increased funding for Pell grants, but excludes about \$12 billion which was set aside for American Graduation Initiative, the Open Learning Initiative, and proposed Early Learning Challenge grants.
- **Page 15**
The most recent National Education Technology Trends Report by the State Educational Technology Directors Association (SETDA) found that, in FY 2008, enhancing teacher effectiveness by providing professional development remained a highest priority use of Title II-D (E²T²) technology funding with increased use of online delivery and collaborative learning. Priority academic content areas include technology literacy, mathematics, reading, and science, in that order.
- **Page 16**
Miscellaneous Items:
 - a) Secretary Duncan has joined Chairman Tom Harkin of the Senate Appropriations Subcommittee in calling for an Educator's Job Bill to be funded at \$23 billion which could be used for salaries and benefits to retain or hire school staff; Senator Harkin called it "emergency spending" which does not need to be offset by other revenue. Chances for early passage are good.
 - b) USED has begun releasing the last third of SFSF allocations to states; a number of states will likely be reallocating remaining funds, after state funding budget holes have been filled, to districts using the Title I allocations for the most "current year." If the \$23 billion jobs bill is passed, then even more states will be able to reallocate portions of SFSF funds to districts.
 - c) The \$350 million competition for consortia of states to develop comprehensive assessment systems and high school end-of-course tests has been announced with proposals due June 23rd. At least two state consortia will likely submit proposals.
 - d) CCSSO official who directs the Common Core Standards Initiative identifies possible opportunities for supplemental education publishers if and when the Common Core Standards Initiative is implemented.
 - e) The W.K. Kellogg Foundation has awarded a \$1.4 million grant to the Rural School and Community Trust to provide funding assistance to rural districts to

hire professional grant writing support in order to apply for i³ grants.

- f) Included in the Health Care Reform Law recently signed by the President is \$250 million over five years will be available to states wishing to continuing “abstinence only” programs; it also includes \$375 million over five years for “comprehensive” approaches to sex education.
- g) The Council of the Great City Schools calls for Secretary Duncan to exercise his waiver authority over NCLB provisions for AYP calculations to identify schools identified for improvement and to reduce the 20 percent set-aside for SES and public school choice if ESEA is not reauthorized this year.
- h) The U.S. Department of Education has begun approving state applications under the School Improvement Grants (SIG) program.

The State Profile Updates cover a number of areas including state approaches to Federal funding programs (School Improvement Grants, Race to the Top), state budgets, charter schools, college readiness, graduation rates, and online learning.

Washington Update

Vol. 15, No. 4, April 29, 2010

More Districts Planning Cuts/Deferrals of Instruction-Related Purchases Next Year According to Recent American Association of School Administrators Survey

In its March 2010 survey of over 450 responses from more than 420 superintendents, mostly from rural districts, the American Association of School Administrators (AASA) found that more districts are planning to reduce purchases of instructional and related materials, including technology, next year compared to this year as a result of reduced state and local budgets, and in anticipation of the so-called Federal “funding cliff” at the end of next year. Moreover, according to the AASA report, “In an environment that wants so much more from its schools, the economic realities facing schools have served to short circuit the research-based school improvement efforts underway, forcing budget cuts in areas that directly impact student learning and achievement.” The attached table displays the budget cuts in specific areas based on data collected in six AASA surveys over the last 18 months, showing trend lines between 2008-09 through projected reductions in 2010-11. AASA cautions in a footnote that the estimates for the 2010-11 school year are subject to change as district budgets were in the midst of being prepared when the survey was taken in March. For the prior years, the survey reflects actual implemented changes.

The survey found that more than 60 percent of respondents plan to increase class size

next year, up from only nine percent two years ago. When overall budgets are stable, class size increases generally “free-up” funds for purchasing products and services. In the current situation, the larger class sizes are a budget necessity because 80 percent of respondents are reporting a cut in state and local revenues between this year and next year. In 2010-11, over 50 percent of districts estimate that they will be reducing purchases of textbooks and instructional materials.

The survey also attempted to assess the perceived impact of ARRA stimulus funding on school reform measures, particularly those considered a priority of this Administration. More than half of respondents (53 percent) reported that the stimulus funds only filled budget cuts and was not enough funding for “new innovations/reform;” this was up from 31 percent in August 2009. Only 15 percent reported that stimulus funding represented an increased funding level with little needed to fill budget cuts allowing districts to implement innovations/reform. Only three percent of districts reported that the full amount of district ARRA funds were used to increase funding toward innovation and reform. Even though “extended learning time” for instruction and teacher collaboration/planning are high Administration priorities, 30 percent felt collaboration planning time within a school day will be reduced and more than one-quarter (27 percent) indicated they will reduce operations to a four-day work week during the summer for 2010-11. Thirty-four

percent were considering eliminating summer school for 2011, up from eight percent in 2009. At least 50 percent felt they would reduce non-academic programs such as after-school and Saturday enrichment in 2010-11.

One new possible opportunity for larger volume purchases is “group buys” through “co-ops”; more than 46 percent reporting exercising this option for 2010-11, up from 35 percent last year. Almost 90 percent of respondents “disagreed/strongly disagreed” with the statement, “Increases in federal education funding should be only in competitive grants” which the Administration’s FY 2011 budget proposed for Title I and IDEA. Reasons varied from districts not having the staff to apply for such competitive grants, increased funding uncertainty which affects planning and budgets stability, and lack of local funds to sustain competitive grant projects once funds run out.

Just as the AASA report cautions, we agree that the sample, which included almost three-quarters rural districts, is not representative; moreover, if one reviews the actual comments by selected superintendents regarding the impact of stimulus funding and the proposed movement to increase competitive versus formula grants, some of the respondents may have overstated the number of staff that might have to be cut based on pink slips being issued now. In fact, some staff receiving pink slips may actually be rehired as money is found somewhere in the local next year budget.

For a copy of the survey, go to: [http://www.aasa.org/uploadedFiles/Policy_and_Advocacy/files/CliffHangerFINAL\(1\).pdf](http://www.aasa.org/uploadedFiles/Policy_and_Advocacy/files/CliffHangerFINAL(1).pdf)

Only About a Quarter of IDEA and Title I ARRA Funds, Totaling About \$22 Billion, Have Been Sent as Outlays to Districts for Their Obligation/Spending; the Remainder has to be Obligated by Districts by September 30, 2011 in Most States

USED published its ARRA spending report by programs as of the end of April 16, 2010. While obligation/spending activities vary considerably by states for Title I ARRA and IDEA ARRA funds, overall it appears that only about 25 percent of these funds have been spent by districts, with the remainder “still available.” Tables 1 and 2 display Title I ARRA obligations by states for targeted grants (\$4.5 billion) and incentive grants (\$4.5 billion) which have to be obligated by districts by September 30, 2011. States and/or districts which have not received waiver approval have to obligate 85 percent of such regular and ARRA Title I funds by September 2010; in most states, such funds must be obligated, by state law, by June 30th. In Table 3, we present similar information, by state, for IDEA ARRA funding which also has to be obligated by districts by September 30, 2011.

Table 1 displays outlays as a percent of obligated funds and the amount “still remaining” for Title I Targeted Grants. It is obvious that in a few states 100 percent has already been provided as outlays to districts (Connecticut, Indiana), with 24 other states having provided over 50 percent. About 53 percent of targeted grants have been obligated nationwide by April 16, with about \$2.3 billion still available. On the other hand, only four states (California, Colorado, Indiana, Oklahoma) have obligated any funds as outlays to districts of

the \$4.95 billion incentive grants allocations. It is not surprising that California, with its dire fiscal situation, has provided a large amount of Title I funds outlays to districts in both categories. The high proportion of obligated funds in Indiana is also expected because Indiana has three fiscal years, one of which ends June 30th. According to state law, all Title I funds not only have to be obligated, but also spent by June 30th. Texas has a similar law which currently specifies August 30th, but is likely to be changed to September 30th; however, because Texas is an Ed-Flex state, districts may carry over much more than the 15 percent limitation each year, largely because the last Title I allocation to districts in Texas usually does not occur until February or March. The fact that Oklahoma has obligated proportionately more funds as outlays to districts is also not surprising because of their quick turnaround in allocating Title I ARRA funds to districts shortly after receiving the two Title I ARRA allocations last year; this resulted in an audit exception by the Government Accounting Office asking Oklahoma to justify why it obligated more funds to districts than the total amount obligated to the SEA. While most states have received waivers to carry over more Title I regular and ARRA funds than the 15 percent limitation from this year to next year, as of December, a number of states had not requested such waivers, including Colorado, Hawaii, Illinois, Indiana, Maryland, Massachusetts, North Carolina, Oregon, Pennsylvania, and Utah.

Some of these states may have subsequently requested and been provided such waivers, or in certain situations if the SEA did not request a waiver, individual districts could have. As sales staff approach districts, they should inquire as to whether the SEA or

LEA has received a waiver to carry over more than the 15 percent limitation, especially in states which have large amounts of Title I ARRA funds “still available.” These states may be in a situation where they have to obligate, in a hurry, a large amount of their ARRA funds by June 30th, or in some states by September 30, 2010.

Table 3 displays USED data IDEA ARRA spending through April 16, 2010. The percent obligated by states in terms of outlays to districts are about 28 percent nationwide. As with Title I, several states have high percentages of obligated IDEA ARRA funds including: Hawaii (50%), Iowa (54%), Indiana (47%), Oklahoma (52%), and Connecticut (37%). The high percentage obligated in Indiana is probably attributed to the State’s “spend it or lose it” law and tradition, as well as to the fact that most Indiana districts were allowed by the SEA to take advantage of Section 613 which allows districts to allocate up to 50 percent of their increase in IDEA funding to free-up local resources currently used to pay for special education programs. Although, in all states, some of the district freed-up funds under the Section 613 option could be used to purchase any products allowable under ESEA, it is also likely that some of the freed-up money also used to retain staff, not necessarily district special education staff, who would have otherwise lost their jobs due to cuts in state budgets in some states.

As one reviews USED spending data, the findings of the recent AASA survey (see related Washington Update item) that the majority of districts are reducing expenditures for purchases of instructional materials, textbooks, and other products and services should not be surprising. Many

districts are holding onto ARRA funds to soften the blows of possible additional reductions in state funding next year.

Regarding Federal assistance to backfill state education formula cuts last year and this year, the remaining one-third allocation to states whose Phase II application for State Fiscal and Stabilization funding have been approved are now being distributed. Thus far, 20 states have received their final SFSF allocation: Arizona, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Massachusetts, Michigan, Missouri, New Jersey, New Mexico, North Carolina, Ohio, South Carolina, Tennessee, and Utah. As we have noted elsewhere, States which were able to meet their FY 2009 and FY 2010 maintenance of effort requirements through the use of Phase I SFSF funding will likely have SFSF funds remaining after any minor backfilling this year is required. They will reallocate these funds to districts based on the proportion of Title I funds districts received for the most “current year” (see related item). States which are most likely to have some remaining funds to be reallocated to districts include: Texas, Wyoming, Iowa, Pennsylvania, Delaware, Tennessee, New Mexico, and Arkansas.

Table 1

STATE TITLE I/Targeted ARRA SPENDING

(as of 4/16/10)

STATE	Cumulative Obligated	Cumulative Outlays	Percent Obligated	Cumulative Available Balance
Education for the Disadvantaged				
Title I Targeted Grants				
Alaska	\$14,763,996	\$3,134,775	21%	\$11,629,221
Alabama	\$78,926,732	\$59,101,896	75%	\$19,824,836
Arkansas	\$49,826,925	\$40,327,708	81%	\$9,499,217
Arizona	\$95,551,056	\$64,736,366	68%	\$30,814,690
California	\$591,659,634	\$309,433,390	52%	\$282,226,244
Colorado	\$55,040,487	\$22,447,794	41%	\$32,592,693
Connecticut	\$30,644,464	\$30,644,464	100%	\$0
District of Columbia	\$20,277,323	\$490,045	2%	\$19,787,278
Delaware	\$16,218,091	\$7,067,273	44%	\$9,150,818
Florida	\$271,477,371	\$163,245,681	60%	\$108,231,690
Georgia	\$169,975,204	\$78,752,625	46%	\$91,222,579
Hawaii	\$16,651,876	\$5,042,449	30%	\$11,609,427
Iowa	\$20,842,583	\$16,223,906	78%	\$4,618,677
Idaho	\$17,325,000	\$7,967,405	46%	\$9,357,595
Illinois	\$224,466,074	\$66,940,188	30%	\$157,525,886
Indiana	\$72,850,613	\$72,850,613	100%	\$0
Kansas	\$29,835,627	\$19,542,880	66%	\$10,292,747
Kentucky	\$71,887,917	\$55,809,660	78%	\$16,078,257
Louisiana	\$98,551,951	\$61,595,146	63%	\$36,956,805
Massachusetts	\$76,767,506	\$35,798,580	47%	\$40,968,926
Maryland	\$71,398,396	\$26,280,706	37%	\$45,117,690
Maine	\$17,325,000	\$16,421,589	95%	\$903,411
Michigan	\$189,117,736	\$86,920,727	46%	\$102,197,009
Minnesota	\$42,351,620	\$18,193,817	43%	\$24,157,803
Missouri	\$65,833,184	\$37,355,879	57%	\$28,477,305
Mississippi	\$63,813,088	\$25,807,359	40%	\$38,005,729
Montana	\$17,325,000	\$9,432,300	54%	\$7,892,700
North Carolina	\$125,071,967	\$81,761,698	65%	\$43,310,269
North Dakota	\$13,716,804	\$6,211,651	45%	\$7,505,153
Nebraska	\$20,972,465	\$5,739,242	27%	\$15,233,223
New Hampshire	\$14,991,682	\$4,167,165	28%	\$10,824,517
New Jersey	\$79,072,664	\$16,356,794	21%	\$62,715,870
New Mexico	\$38,816,719	\$16,659,403	43%	\$22,157,316
Nevada	\$39,489,346	\$12,252,923	31%	\$27,236,423
New York	\$512,720,286	\$185,732,163	36%	\$326,988,123
Ohio	\$172,240,909	\$102,365,692	59%	\$69,875,217
Oklahoma	\$50,759,078	\$30,774,690	61%	\$19,984,388
Oregon	\$40,039,470	\$22,550,557	56%	\$17,488,913
Pennsylvania	\$196,118,794	\$156,515,213	80%	\$39,603,581
Puerto Rico	\$187,741,726	\$154,626,346	82%	\$33,115,380
Rhode Island	\$17,325,000	\$8,689,557	50%	\$8,635,443
South Carolina	\$66,173,851	\$37,297,375	56%	\$28,876,476
South Dakota	\$17,325,000	\$8,791,016	51%	\$8,533,984
Tennessee	\$95,837,100	\$52,408,522	55%	\$43,428,578
Texas	\$487,320,065	\$269,576,407	55%	\$217,743,658
Utah	\$23,411,117	\$6,467,881	28%	\$16,943,236
Virginia	\$79,294,702	\$27,965,272	35%	\$51,329,430
Vermont	\$12,742,926	\$7,737,761	61%	\$5,005,165
Washington	\$60,027,881	\$24,526,551	41%	\$35,501,330
Wisconsin	\$67,036,032	\$18,008,662	27%	\$49,027,370
West Virginia	\$25,436,421	\$23,547,035	93%	\$1,889,386
Wyoming	\$13,132,314	\$668,596	5%	\$12,463,718
	\$4,947,518,773	\$2,622,963,393	53%	\$2,324,555,380
Virginia Bypass	\$893,268	\$297,551		\$595,717
Missouri Bypass	\$1,587,959	\$389,756	25%	\$1,198,203
	\$4,950,000,000	\$2,623,650,700	53%	\$2,326,349,300

Table 2

STATE TITLE I/Financial Incentive ARRA SPENDING

(as of 4/16/10)

STATE	Cumulative Obligated	Cumulative Outlays	Percent Obligated	Cumulative Available Balance
Education for the Disadvantaged				
Title I Education Finance				
Incentive Grants				
Alaska	\$14,685,714	\$0	0%	\$14,685,714
Alabama	\$84,042,485	\$0	0%	\$84,042,485
Arkansas	\$61,265,213	\$0	0%	\$61,265,213
Arizona	\$99,536,265	\$0	0%	\$99,536,265
California	\$533,260,839	\$154,454,775	29%	\$378,806,064
Colorado	\$56,095,435	\$0	0%	\$56,095,435
Connecticut	\$40,069,710	\$1,989,933	5%	\$38,079,777
District of Columbia	\$17,325,000	\$0	0%	\$17,325,000
Delaware	\$16,215,552	\$0	0%	\$16,215,552
Florida	\$219,097,981	\$0	0%	\$219,097,981
Georgia	\$181,033,088	\$0	0%	\$181,033,088
Hawaii	\$16,519,998	\$0	0%	\$16,519,998
Iowa	\$30,654,439	\$0	0%	\$30,654,439
Idaho	\$17,630,709	\$0	0%	\$17,630,709
Illinois	\$195,797,487	\$0	0%	\$195,797,487
Indiana	\$95,826,288	\$7,926,818	8%	\$87,899,470
Kansas	\$41,032,448	\$0	0%	\$41,032,448
Kentucky	\$83,459,977	\$0	0%	\$83,459,977
Louisiana	\$78,604,826	\$0	0%	\$78,604,826
Massachusetts	\$86,912,772	\$0	0%	\$86,912,772
Maryland	\$64,560,042	\$0	0%	\$64,560,042
Maine	\$19,859,258	\$0	0%	\$19,859,258
Michigan	\$200,785,137	\$0	0%	\$200,785,137
Minnesota	\$52,359,416	\$0	0%	\$52,359,416
Missouri	\$80,307,265	\$0	0%	\$80,307,265
Mississippi	\$69,075,401	\$0	0%	\$69,075,401
Montana	\$17,325,000	\$0	0%	\$17,325,000
North Carolina	\$132,372,989	\$0	0%	\$132,372,989
North Dakota	\$13,720,301	\$0	0%	\$13,720,301
Nebraska	\$26,836,489	\$0	0%	\$26,836,489
New Hampshire	\$15,955,972	\$0	0%	\$15,955,972
New Jersey	\$103,898,635	\$0	0%	\$103,898,635
New Mexico	\$41,986,677	\$0	0%	\$41,986,677
Nevada	\$30,636,793	\$0	0%	\$30,636,793
New York	\$394,431,863	\$0	0%	\$394,431,863
Ohio	\$200,432,565	\$0	0%	\$200,432,565
Oklahoma	\$58,683,424	\$29,283,023	50%	\$29,400,401
Oregon	\$53,696,196	\$0	0%	\$53,696,196
Pennsylvania	\$204,484,884	\$0	0%	\$204,484,884
Puerto Rico	\$198,665,955	\$0	0%	\$198,665,955
Rhode Island	\$18,509,427	\$0	0%	\$18,509,427
South Carolina	\$76,665,065	\$0	0%	\$76,665,065
South Dakota	\$17,325,000	\$0	0%	\$17,325,000
Tennessee	\$98,237,779	\$0	0%	\$98,237,779
Texas	\$461,417,715	\$0	0%	\$461,417,715
Utah	\$26,125,166	\$0	0%	\$26,125,166
Virginia	\$85,164,049	\$0	0%	\$85,164,049
Vermont	\$13,022,480	\$0	0%	\$13,022,480
Washington	\$75,095,218	\$0	0%	\$75,095,218
Wisconsin	\$80,693,411	\$0	0%	\$80,693,411
West Virginia	\$35,544,869	\$0	0%	\$35,544,869
Wyoming	\$13,059,333	\$0	0%	\$13,059,333
	\$4,950,000,000	\$193,654,549	4%	\$4,756,345,451

Table 3

STATE IDEA ARRA SPENDING

(as of 4/16/10)

STATE	Cumulative Obligated	Cumulative Outlays	Percent Obligated	Cumulative Available Balance
Special Education				
IDEA Part B grants to States				
Alaska	\$32,956,419	\$4,199,092	13%	\$28,757,327
Alabama	\$181,864,783	\$52,030,403	29%	\$129,834,380
Arkansas	\$112,177,929	\$40,713,461	36%	\$71,464,468
American Samoa	\$230,169	\$0	0%	\$230,169
Arizona	\$178,476,064	\$54,316,405	30%	\$124,159,659
California	\$1,226,944,052	\$396,337,002	32%	\$830,607,050
Colorado	\$148,730,571	\$32,714,980	22%	\$116,015,591
Connecticut	\$132,971,468	\$48,577,343	37%	\$84,394,125
District of Columbia	\$16,441,924	\$652,229	4%	\$15,789,695
Delaware	\$32,700,531	\$8,043,248	25%	\$24,657,283
Florida	\$627,262,665	\$210,873,164	34%	\$416,389,501
Georgia	\$313,758,336	\$78,832,195	25%	\$234,926,141
Guam	\$510,352	\$14,174	3%	\$496,178
Hawaii	\$39,925,269	\$19,962,635	50%	\$19,962,634
Iowa	\$122,095,134	\$65,892,323	54%	\$56,202,811
Idaho	\$53,247,375	\$12,775,114	24%	\$40,472,261
Illinois	\$506,479,753	\$178,901,560	35%	\$327,578,193
Indiana	\$253,534,865	\$118,756,455	47%	\$134,778,410
Kansas	\$106,871,769	\$35,064,768	33%	\$71,807,001
Kentucky	\$157,569,975	\$54,611,898	35%	\$102,958,077
Louisiana	\$188,749,525	\$51,490,048	27%	\$137,259,477
Massachusetts	\$280,551,559	\$78,442,453	28%	\$202,109,106
Maryland	\$200,241,802	\$37,989,869	19%	\$162,251,933
Maine	\$53,163,974	\$19,118,533	36%	\$34,045,441
Michigan	\$400,607,836	\$79,826,768	20%	\$320,781,068
Minnesota	\$189,839,228	\$47,307,399	25%	\$142,531,829
Missouri	\$227,175,274	\$53,731,359	24%	\$173,443,915
Northern Mariana Islands	\$174,906	\$25,836	15%	\$149,070
Mississippi	\$117,836,482	\$15,278,355	13%	\$102,558,127
Montana	\$36,708,056	\$11,923,725	32%	\$24,784,331
North Carolina	\$314,410,039	\$119,393,305	38%	\$195,016,734
North Dakota	\$26,552,439	\$9,382,484	35%	\$17,169,955
Nebraska	\$74,676,976	\$12,320,644	16%	\$62,356,332
New Hampshire	\$47,461,265	\$8,119,206	17%	\$39,342,059
New Jersey	\$360,691,433	\$63,454,235	18%	\$297,237,198
New Mexico	\$91,147,493	\$15,437,308	17%	\$75,710,185
Nevada	\$67,119,396	\$20,679,805	31%	\$46,439,591
New York	\$759,193,324	\$138,938,302	18%	\$620,255,022
Ohio	\$437,736,052	\$147,701,376	34%	\$290,034,676
Oklahoma	\$147,924,906	\$79,581,933	54%	\$68,342,973
Oregon	\$128,979,436	\$34,639,180	27%	\$94,340,256
Pennsylvania	\$427,178,222	\$148,891,316	35%	\$278,286,906
Puerto Rico	\$109,098,472	\$6,732,493	6%	\$102,365,979
Rhode Island	\$43,734,211	\$6,981,636	16%	\$36,752,575
South Carolina	\$173,239,745	\$16,442,087	9%	\$156,797,658
South Dakota	\$31,630,863	\$8,268,773	26%	\$23,362,090
Tennessee	\$229,613,418	\$70,591,810	31%	\$159,021,608
Texas	\$945,636,328	\$258,630,687	27%	\$687,005,641
Utah	\$105,540,856	\$11,279,215	11%	\$94,261,641
Virginia	\$281,415,033	\$43,777,694	16%	\$237,637,339
Virgin Islands	\$324,371	\$0	0%	\$324,371
Vermont	\$25,601,621	\$5,606,105	22%	\$19,995,516
Washington	\$221,357,461	\$54,754,113	25%	\$166,603,348
Wisconsin	\$208,200,108	\$45,688,158	22%	\$162,511,950
West Virginia	\$75,951,991	\$27,164,452	36%	\$48,787,539
Wyoming	\$25,786,496	\$770,178	3%	\$25,016,318
	\$11,300,000,000	\$3,163,629,289	28%	\$8,136,370,711

Most Recent School Improvement Grant Guidance Provides Some Additional Flexibilities for Districts While Adhering to the Priority Focus on Eligible Tier 1 and Tier 2 Schools

On March 24th, USED published Frequently Asked Questions (FAQ) for LEAs that could receive School Improvement Grant funding. This guidance provides some flexibility in the use of one of the four reform models while at the same time focusing even more narrowly on the most persistently lowest-achieving schools eligible as Tier 1 and Tier 2.

Section G-1 of the FAQ refers to a similar question in the corresponding section of the January 20th SIG guidance (see February 17th TechMIS Special Report) which allows an SEA to award SIG grants to an LEA for Tier I or Tier II schools that have implemented, in part or in whole, one of the four models within the last two years so that implementation of that model can continue or complete the intervention being implemented. During the Council of the Great City Schools Annual Conference in March, many districts complained that they should not have to replace a newly-hired principal whose job was to implement parts of one of the four models if the model appeared to be working. The FAQ addendum on March 24th clarifies that the “two years prior to full implementation of the model” would be the 2007-08 and 2008-09 school years. In most situations, the “last two years” before implementation would actually be almost three years. However, full implementation would include adding components that were not addressed during the initial implementation over the “last two years.” The FAQ cited, as an example of a

component that may take additional time after full implementation begins, changing collective bargaining agreements or other teacher contracts.

In several places, the most recent guidance states firmly that states must give the highest priority to LEAs that serve eligible Tier I and Tier II schools before allowing LEAs to use any SIG funds to serve Tier III schools. However, the SEA has significant discretion, as does the LEA, in deciding which of the eligible Tier I and Tier II schools it has the “capacity to serve.” If the capacity to serve, as perceived by the LEA - - or the SEA -- results in not all of the 2009 SIG funding being allocated during the first year, SEAs can carry over 25 percent to the next year for continuation of competitive grant rounds in conjunction with or separate from the FY 2010 SIG funding of about \$550 million.

The FAQ guidance also allows the LEA to use its discretion in determining whether “ample opportunities” are provided to staff in Tier I or Tier II eligible schools to develop the necessary skills and knowledge to adequately serve in a school turnaround or transformation model. As the FAQ states, “LEAs have the flexibility to determine both the type and number of opportunities for staff to improve their professional practice before they are removed from a school implementing the transformation model. Examples of such opportunities include professional development in such areas as differentiated instruction and using data to improve instruction, mentoring or partnering with a master teacher, or increased time for collaboration designed to improve instruction.”

In response to a question as to whether before- and after-school instructional programs can be included under “increased learning time,” the guidance indicates that this is permitted. However, it strongly “encourages” that instruction be closely integrated and coordinated between in-school and before- and after-school instructional programs which “must be available to all students in the school.” The March 24th FAQ addendum also suggests that previous research has found that a minimum of 300 additional hours of “increased learning time” are required if a program is to be effective in turning around low-performing schools. The guidance does not require that such an absolute minimum amount be provided; rather, LEAs have discretion in how to “meet the requirement to establish schedules that provide increased learning time, and should do so with an eye toward the goal of increasing learning time enough to have a meaningful impact on the academic program in which the model is being implemented.”

The FAQ also clarifies that an LEA may use SIG funds for general district-level implementation activities to support one of the four school intervention models in Tier I and Tier II schools; it provides, as an example, an “early warning system” to identify at-risk students. It also states, “However, an LEA may not use SIG funds to support district-level activities for schools that are not receiving SIG funds.” The latter statement is somewhat more restrictive than the earlier guidance which allowed more district flexibility to develop an overall capacity to support school improvement efforts generally. The FAQ guidance also reinforces earlier guidance which clearly does not allow feeder schools to receive SIG funds unless the schools are also Tier I, Tier

II, or Tier III schools which feed an eligible Tier I or Tier II school.

Under a restart model, the FAQ clarifies that the operator of a restart school is required to serve only those students previously enrolled in the schools in which parents agree to sign “student or parent/student agreements covering student behavior, attendance, or other commitments related to academic performance.” If a parent or student does not sign such an agreement, the operator can assume that the student does not wish to attend the school implementing the restart model. This would provide a disincentive for the operator to provide “outreach” to certain parents and students which it does not want to serve. However, the FAQ notes “A provider may not, however, require students to meet, for example, certain academic standards prior to enrolling in the school.”

Regarding comprehensive instructional reform strategies under a reform model, required activities include using data to identify and implement instructional programs that are research-based and vertically aligned to grade level, as well as aligned with academic standards; and providing continued use of student data, such as formative and interim assessments, to inform and differentiate instruction. Regarding the possible use of SIG funds by the SEA to serve Tier III schools, the guidance is firm stating: “In other words, only if an SEA has awarded funds to serve each Tier I and Tier II school that its LEAs commit to serve, and that the SEA determines its LEAs have the capacity to serve, may the SEA award funds to its LEAs to serve any Tier III schools.”

For a copy of the guidance go to:

<http://www2.ed.gov/programs/sif/faq.html>

Highlights of Comments by Secretary Duncan and Chairman Miller Before the Council of the Great City Schools Annual Legislative Conference and Our General “Impressions” Stemming From Attendees Comments

At the Annual Legislative Conference of the Council of the Great City Schools (CGCS), Secretary Arne Duncan and Chairman George Miller shared their thoughts on needed Federal education policy changes. Discussions with, and comments by, panelists who spoke on “background not to be quoted” left a number of impressions which are highlighted below.

Regarding his first year as Secretary, Secretary Duncan was proud that not one “scandal” over stimulus funding has occurred even though “others were looking for it” and called the common core standards, developed by NGA and CCSSO, as a “game changer,” which will bring a “Berlin Wall” down. He reiterated that the development of “talent” is critical to the success of School Improvement Grants and other initiatives and any attempt to close the opportunity gap; the new SIG funding could result in the expansion of a new “turnaround school” business.

Regarding the proposed ESEA reauthorization “blueprint,” he emphasized the need to hold LEAs and SEAs accountable but also, reflecting his experience in Chicago, to provide flexibility so districts know how and when to tutor. He also stressed that the “blueprint” does not

propose to convert all Title I to a “competitive grant” program, just the proposed amount of increased funding. He faulted the current AYP concept as lacking differentiation and called for increased use of individual growth models. In response to several questions related to the timeframe for turning around persistently lowest-achieving schools (e.g., the lowest one percent which would likely be Tier I or Tier II), he conceded that two years might be too short and five years could be questionable, but certainly ten years is far too long a timeframe for turning around such schools.

While the Secretary mentioned “district flexibilities” numerous times, he argued that one of the four models has to be used under School Improvement Grants; yet he acknowledged some of the problems that rural schools are having even with the transformation model. He then stated that 30 percent of the nation’s “dropout factories” are in rural settings which is higher than the 20 percent previously noted by numerous USED officials. This suggests that the possibility that the definition of “rural schools” may be changed for eligibility for i³ Innovation Grants. Both he and other USED officials mentioned on several occasions that rural schools participation as applicants or partners is worth an additional two points as a competitive priority under i³.

Chairman George Miller called Secretary Duncan’s first year in office and blueprint for ESEA reauthorization “fabulous,” indicating his strong support for many of the proposed directions by the Secretary. He felt strongly that data-driven decision-making needs to take hold at the district and classroom level; acknowledging that states have “come a long way” within their

longitudinal data systems. If you want Federal dollars, he noted, “you’ve got to have data” to justify the request. He supported one of the Secretary’s newest priorities, “Community Schools” and he called for more active parental engagement and stressed the need for more teacher collaboration and the development of professional learning communities to support ongoing professional development. He appeared to be supportive of the use of competitive grants for allocating increased Title 1 funding because such competitions allow “chances to experiment with models which can sustain success.”

Chairman Miller also commented on the passage two days earlier of the Healthcare Bill which included large increases in funding and for the reform of Pell Grant Program; he implied that the higher education portion of the education reform initiatives of the Obama Administration had been accomplished. Whether this observation could reduce pressure for passing a reauthorization of ESEA for K-12 education this year is questionable.

The two and half days of the CGCS conference left a number of observations and impressions which can be shared as my thoughts and not direct quotes from any of the Council of the Great City Schools officials, legislative committee staff who participated as panelists, and large district superintendents and board members.

With an estimated shortfall in state and local K-12 funding of \$4 billion next year among the 60+ members of the Council, their highest priority is getting additional funding under several alternative “jobs” stimulus funding bills currently being debated in Congress, including a large one sponsored

by Chairman Miller. Most of the members indicated this would be their priority during visits to Capitol Hill.

With the exception of Secretary Duncan, Chairman Miller, and USED high-level officials, the vast majority of policymakers and district officials felt that the proposed reauthorization of ESEA would not occur this year. There appeared to be little consensus and agreement on a number of issues such as:

- treatment of rural districts, especially under School Improvement Grants;
- use of Title I and IDEA funds to support Response to Intervention in a comprehensive manner;
- conversion of Title I and IDEA, as well as other programs, to competitive grants versus current formula grants;
- no longer requiring 20 percent of Title I regular funds for supplemental educational services (SES) and parent choice.

Related to the last point, Massachusetts had requested a waiver of the 20 percent set-aside applied to regular Title I funding next year to use these freed up funds for extended learning and reportedly was turned down; this means that, if there is no reauthorization this year, SES requirements would continue to be required for districts that have been identified for improvement for two or more years.

As noted in our most recent [TechMIS Washington Update](#), the single most important problem and concern currently under School Improvement Grants is the identification of Tier I and Tier II schools by SEAs. It is very likely that large urban

districts will continue to seek greater flexibility and regulatory relief, for example, in allowing a “fifth model” to be used when such models have proven to be effective, as a number of officials from member districts pointed out to the Secretary.

In an offline discussion with Assistant Secretary for Planning, Evaluation and Policy Development, Carmel Martin, I asked if there is a Plan B should ESEA reauthorization not occur this year. She noted that the proposed FY 2011 budget had a proposed Plan B, but then countered with the argument that they were planning for a successful reauthorization this year. One was left with a definite impression that providing greater “regulatory relief” through the Secretary’s waiver process (e.g., not having to apply the 20 percent SES set-aside to regular Title I funding next year) would take pressures off Congress to pass a reauthorization this year.

Alternative Schools in Rural School Districts Could Provide Good Opportunities for Firms With Certain Products and Services

Over the last six months, rural school districts have been the most vocal segment of school districts in their criticism of several Administration policies and in their call for greater flexibility. Based on high-level official speeches and some changes in USED policy (particularly Non-Regulatory Guidance), more funding and other opportunities are likely to be created for this group of districts, which in turn could create opportunities for firms with certain types of products and services.

Most noteworthy are Secretary Duncan’s recent comments encouraging rural districts to apply for i³ grants because they will be given two additional competitive priority points in the review process. Moreover, the Administration has been successful in encouraging certain foundations to provide financial support -- such as the recent \$1.4 million grant by the Kellogg Foundation to the Rural Trust -- to assist such districts in developing applications (see Miscellaneous Washington Update). Perhaps the biggest opportunities, however, relate to School Improvement Grant funding and the identification by SEAs of large numbers of alternative schools, including special education schools, as Tier I or Tier II schools in eligible districts which can apply for up to \$2 million per eligible school which is served for each of three years. During the Council of the Great City Schools Annual Legislative Conference, Secretary Duncan stated that 30 percent of the so-called high school “dropout factories” are located in rural districts which is significantly higher than the 20 percent which was previously estimated, perhaps reflecting an expanded definition of rural schools. About 20 SEA School Improvement Grant applications have been approved as of April 27th because of the need for states to revise their lists of Tier I/Tier II schools that meet the newest eligibility criteria; it is very likely that a proportionately larger number of alternative schools, including special education schools, will be identified by SEAs as eligible Tier I and Tier II schools (see March 24th TechMIS Washington Update).

Findings from the first USED/NCES survey of “Alternative Schools and Programs for Public School Students at Risk of Education Failure: 2007-08” provides both general and

specific information related to the location and characteristics of alternative schools and programs which could help firms decide what types of districts to target with what types of programs.

Findings from the two point-in-time surveys (which define “alternative schools” as those housed in a separate facility and “alternative programs” as those that are usually housed within regular schools) include:

- In the 2007-08 school year, 64 percent of districts had at least one alternative school or program, with 40 percent reporting at least one that was district-administered.
- Of the 10,300 district-administered schools or programs, 37 percent were housed within a regular school; 17 percent of districts used distance learning as an instructional delivery.
- Of the 646,500 students enrolled in alternative schools or programs, 558,300 attended those which were district-administered, while 87,200 attended programs administered by another entity.
- About 90 percent of districts reported alternative schools or programs for grades 9-12.
- Over 60 percent of districts reported having a policy that allowed all students enrolled in alternative schools or programs to return to their regular schools; among factors that districts reported as “very important” in determining whether a student was able to return were “improved attitude/behavior” (78 percent), and “improved grades” (58 percent).
- To a moderate or large extent, several reasons explained why students left alternative schools

including: graduated with a regular high school diploma (68 percent) and return to a regular school (68 percent).

- Slightly over 60 percent of districts reported requiring a written learning plan upon entry into alternative schools or programs for all students who receive special education services.
- For teachers in alternative schools or programs almost 50 percent of the districts reported having professional development requirements beyond regular district requirements.

The survey also found certain distinguishing characteristics of the types of districts in comparing rural alternative schools and programs to city, suburban, and town categories of programs. Of the 10,300 alternative schools and programs, 2,900 (about 28 percent) are in rural districts. Almost 50 percent of the alternative schools and programs in rural districts are housed within a regular school compared to 24 percent in city districts. Twenty-two percent of rural districts use distance learning as an instructional delivery mode in their alternative schools and programs compared to 13 percent in city districts. While only 20 percent of rural districts reported having a private entity operate an alternative school or program in city districts, the percentages were 35 percent and 41 percent in city and suburban districts, respectively.

Among the types of districts, “reporting disruptive verbal behavior” was cited as a reason for students being transferred to alternative schools or programs about equally by rural districts (65 percent) and city school districts (63 percent). Thirty-two percent of rural districts reported as a major

reason for students being transferred was a result of Functional Behavioral Assessments compared to 25 percent of city districts. In terms of factors deemed to be “very important” in determining whether students were able to return to their regular schools, 42 percent of rural districts, compared to 23 percent of city districts, reported approval of the regular school administrator or counselor as being “very important.” In terms of reasons explaining to a “moderate or large extent” why students left alternative schools and programs, 72 percent of rural districts reported students return to regular schools compared to 66 percent of city districts. Compared to city districts, rural districts are more likely to: have specific requirements for teachers teaching in alternative schools and programs; have additional professional development requirements; and require a written learning plan for students entering alternative schools and programs if they oversee the special education services.

Several recent reports from national centers and USED have found that a disproportionate number of youth which are in schools/facilities receiving neglected and delinquent Title I funding have not acquired adequate literacy skills which contribute to the likelihood of youth failing school, dropping out, or becoming involved in gangs. The National Evaluation and Technical Assistance Center for Education of Children and Youth who are Neglected, Delinquent, or At Risk (NDTAC) recently conducted evaluations of several reading interventions provided in such facilities and found that all of them improved reading fluency, decoding, and comprehension skills when the youth were provided explicit literacy instruction, as reported in Education Daily February 24th. For a copy of the brief explaining the different reading approaches

which appeared to be effective, go to: http://www.neglected-delinquent.org/nd/docs/literacy_brief_20100120.pdf

The NCES report can be found at: <http://nces.ed.gov/pubs2010/2010026.pdf>

Major Health Reform Act Includes Over \$40 Billion Increased Funding for Pell Grants, but Excludes \$12 Billion Set-Aside for American Graduation Initiative, Open Learning Initiative, and Proposed Early Learning Challenge Grants

On March 30th, President Obama signed the Healthcare and Education Reconciliation Act (HR4872) which included slightly over \$40 billion for primarily increased Pell Grant funding which resulted from savings over 10 years from converting bank lending subsidies to government direct loan funding under the Pell Grant program. However, the Congressional bill at the last moment deleted \$12 billion which was designed to increase community college graduation rates which included about \$50 million a year for 10 years to develop “online skills” courses under the so-called Open Learning Initiative. The final bill the President signed also deleted about \$8 billion that was originally proposed for the Early Learning Challenge grant program to be administered by states. Both President Obama and Secretary Duncan (during the Council of the Great City Schools Annual Legislative Conference) expressed disappointment with deletion of the American Graduation Initiative which included the Online Skills Development and Implementation Initiative and the Early Childhood Learning grant

programs. However, in addition to Pell Grants, the final act would still provide \$2 billion for the development of career training programs through 2014 to ensure that at least one community college per state would receive slightly over \$2 million each over that timeframe. About \$2.5 billion would be provided under the Historically Black Institutions and Historically Serving Institution initiatives.

In spite of the elimination of the Community College Grant Graduation Initiative and Early Learning Challenge Grants, Democratic leadership, including Representative George Miller (D-CA) and Reuben Hinojosa (D-TX) both education committee chairpersons, hailed the passage of the Higher Education Pell Grant and related reform and funding initiatives as major victories. In fact, during the Council of the Great City Schools Annual Conference, Chairman Miller noted that with the passage of the Health Bill and the appended amendment for education, two of the three Obama priorities announced over a year ago have been met. Several observers noted that such an announcement could diffuse pressures to pass a K-12 ESEA reauthorization this year. Because the Student Aid and Fiscal Responsibility Act (SAFRA) (the earlier name of the attached amendment to the Health Reform Act) was noted in the President's proposed FY 2011 education budget, but was not included as a separate line item, it is unclear as to whether or not the American Graduation Initiative and/or the Early Learning Challenge Grants would be included as new line items as the negotiations between the Congressional Appropriations Committee and the White House have begun.

Enhancing Teacher Effectiveness Through Professional Development Continues to be the Highest Priority Use of Title II-D (E²T²) State Technology Grant Funding

The National Education Technology Trends: 2010 report, published by the State Educational Technology Directors Association (SETDA), included a survey of all state education technology directors; it found that, in FY 2008, enhancing teacher effectiveness by providing professional development remained the highest priority use of E²T² technology funding. In that year, Title II-D funding was \$247.9 billion increasing to about \$900 million in FY 2009 through the addition of more than \$600 million in stimulus funding which was allocated to states in July 2009. The SETDA survey found that, in FY 2008, “nearly 86% of the states said professional development was the major emphasis in their Title II-D competitive requests for proposals (RFPs), indicating that professional development is considered a key leverage point for extracting a return on their Title II-D investment. In fact, over 62 percent of the states awarded their Title II-D grants based on criteria that included the quality of the LEA’s proposed professional development plan.” Within this high professional development priority, SETDA reported increased use of funds for “school-embedded professional development with the professional development increasingly offered online.” More than 60 percent of the states emphasized the use of technology integrators, coaches, and mentors who focused on technology integration. SETDA also found more use of blended classrooms that include virtual as well as face-to-face learning as well as personal learning and

productivity tools and the use of data to guide and assess student learning. Most professional development was ongoing with opportunities for discourse within online learning communities. Since FY 2001, when SETDA's first annual survey was conducted, the trend toward collaborative learning has increased.

The report also indicates that there continues to be a focus on online technology-enhanced teaching and learning innovations that result in positive gains in core academic areas which are priority concerns and issues in each state. It noted, "Those issues range from low academic performance in reading, mathematics, and science; learning challenges of specific student populations; to high dropout rates and the challenges of ensuring college readiness for all graduates."

In FY 2008, almost 1,200 Title II-D competitive grants, totaling \$143 million, were awarded by states, with all of the states' allocations used for competitive grants in 13 states (Arkansas, Georgia, Idaho, Indiana, Iowa, Michigan, Missouri, Minnesota, New Hampshire, New Mexico, Pennsylvania, Rhode Island, and West Virginia). In that year, 380 (32 percent) of the awards were "continuation" competitive grants with the remainder being new one-year grants. It is very likely that a larger percentage of FY 2009 grants, which included \$650 million in stimulus funding, were continuation grants especially in states such as Missouri whose eMINTS project is now expanding to more than ten other states. In terms of competitive priorities, 44 states rank professional development as Priority 1 or Priority 2, with ten states ranking increased achievement and technology literacy as Priority 1 or 2. Priority academic content areas in FY 2008 included

technology literacy (28 states), mathematics (23), reading (21), and science (19). Since FY 2005, the report noted "Foster outreach and communications with parents" increased from the tenth highest priority in FY 2007 to fifth in FY 2008. Ranked as third highest priority both in 2006 and 2007, "Technology to improve teaching and learning" dropped to seven in FY 2008.

SETDA's annual survey also tracked how much funds have been transferred into and out of Title II-D under the "five percent transferability allowance." Beginning in FY 2006, more funds have been transferred into than out of Title II-D with the net amount transferred into Title II-D in FY 2008 being \$3.2 million. For a copy of the report go to: http://www.setda.org/c/document_library/get_file?folderId=6&name=DLFE-669.pdf

Miscellaneous

- a) In his testimony on April 14th, Secretary Duncan formally called for continued stimulus funding in support of a bill, passed by the House last year, which includes \$23 billion in job retention/creation aid. Senator Tom Harkin, Chairman of the Senate Appropriations Subcommittee which oversees education funding, also announced the Keep our Educators Working Act (for \$23 billion), which could be used for salaries and benefits to retain or hire staff for early childhood K-12 programs, and/or the job training for careers in K-12 education. Following a recommendation by the Center on Education Policy, the funds would be distributed to states and, in turn, districts under the SFSF funding formula which

for 2009-2010 totaled approximately \$50 billion. The formula for disbursing such funds to districts will be based on the “most current” Title I formula allocations. If such legislation is passed and becomes law -- which is now likely - - one question is what year would be considered the “most current year” allocation. Districts receiving proportionately larger increased funding for that “current year” would receive proportionately more funding following the Title I formula. According to Education Week (April 14th), Senator Harkin reportedly said that “facilities” funding, which is a high priority of the Senator, would not be included in his version of the bill, but that he was not “giving up on the idea of more aid for school modernization.” In that article, the Senator also reportedly said that the cost of the bill “doesn’t need to be offset by other revenue because it would be considered emergency spending.” Both Chairman Harkin and Secretary Duncan appear to agree that action on the bill would be required immediately if the impact of the so-called “funding cliff” would be minimized next year.

- b) USED has begun releasing the last third of State Fiscal and Stabilization Fund (SFSF) allocations, following the release of the first two-thirds late last spring. In states in which the two-thirds allocation fulfilled the state’s requirements to restore state education aid to 2008 and 2009 levels, any remaining funds would be allocated by the state to districts based on the Title I allocations based on the “most current year.” It is not clear whether these states will reallocate any remaining funds after state funding restoration based on the Title I district

allocations for FY 2009 (see April 29, 2009 Preliminary District Allocations TechMIS Special Report) or the most recent allocations (March 24, 2010 Preliminary District Allocations for this coming year). Our request for clarification from USED was met with a response that restated in the Law and SFSF guidance -- namely the “most current data.” Because of the volatility of Title I district allocations from year to year, the implications for certain districts could be significant.

Unlike last year’s two-thirds SFSF allocation, states which required little more than assurances related to the use of funds based on state’s current projected estimates of state funding backfilling required, the application for the remaining third required much more specific information on a number of areas relating to the state’s actions and commitments to implement activities that generate points under the Race to the Top program (e.g., the use of evaluation systems linking individual students’ achievement data to individual teachers as one of several performance measures). The application review process was more extensive, taking a longer time. Several observers also believe that, if the release of the third of the last allocations to states had come before the state legislatures closed their sessions, state legislatures might once again attempt to reduce state aid for certain formula programs in order to use the one-third SFSF funds to backfill newly created budget holes.

As of April 26th, the final SFSF allocations have been made to 20 states, with press releases posted on USED’s

web site at: <http://www2.ed.gov/news/pressreleases/1atest/index.html> Not only does the press release indicate the amount of the last third of its SFSF allocation, but it also details the amount of funds that have been allocated, as of the release date, to other ARRA funding buckets such as Title I and IDEA and even “pots within certain buckets,” such as E²T² state technology grants.

Based on a review of a number of reports on state education funding and the most recent state legislative budget actions, it appears that a number of states are likely to use some of the final one-third of their SFSF allocation for reallocation to districts in proportion to their Title I allocations for the most current year. Some of these include: Texas, Arkansas, Wyoming, Iowa, New Mexico, Delaware, Tennessee, and Pennsylvania. If the \$23 billion “Jobs” bill passed, more states would likely have “remaining funds” for reallocation to districts.

- c) On April 9th, USED announced in the Federal Register final rules for the \$350 million Race to the Top component for a competition for consortia of states to develop both “comprehensive assessment systems” and “high school end-of-course tests.” Proposals from consortia are due June 23rd with grants to be awarded by September 30th. The awards are estimated to be \$30 million grant for end-of-course tests and \$320 million for comprehensive assessment systems. State consortia that submit applications for the comprehensive assessment systems must include at least 15 states for each consortia. The

comprehensive assessment systems will be used to replace NCLB’s (mostly standardized) test assessments currently being used. They will be used to hold individual schools accountable and could include a variety of performance measures as well as adaptive testing designed to assess individual student growth and provide formative assessment data for teachers to inform instruction. As reported in Education Week, Joanne Weiss, Director of RTTT, noted that the high school test would be a “lever for high school improvement,” encouraging states to develop more rigorous secondary school courses separate from the pressures of accountability; however, the high school test would be subject to the overall program rules. Extra points will be awarded to consortia who propose to utilize colleges and universities in the design of tests for assessing progress in science, technology, engineering, and mathematics and who agree that students who pass the exam do not have to take remedial education in college, but rather can enroll directly in credit courses.

According to a document prepared by the National Governors Association and the Council of Chief State School Officers in mid-April, the original number of state consortia has been whittled from six to two. The **Smarter Balanced** consortium would implement online testing “using ‘computer-adaptive’ software that selects new test questions based on each student’s own in-test performance and provides immediate results to teachers.” The consortium would also develop mid-year benchmark tests and formative assessments to be administered

throughout the year and heavily emphasizes teacher involvement in all aspects of assessment, design, and implementation. The **Partnership for Assessment of Readiness for College and Career** will focus primarily on developing “a set of high-quality summative assessments, including grades 3-8 tests and end-of-course high school tests, which can provide rich information on students’ annual progress toward meeting evidence-based benchmarks for college- and career-readiness.” It is not clear whether the end-of-course high school tests would be the same as the separate high school exit exams under the second, \$30 million competition. The Partnership would “release a significant proportion of test items and interpretive information every year, and it will develop model curriculum frameworks and course syllabi that illustrate specific instructional options.” While the Smarter Balanced consortium would implement computer-based adaptive testing early, the Partnership would only begin implementing computer-based testing by 2016.

The assessment grant competitions are closely related to the adoption of common core standards being promoted by the National Governors Association and CCSSO. It is not clear whether the degree to which the number of states that agree to adopt the common core standards, especially after the mid-term elections, will impact the assessment initiatives which are scheduled to be implemented in the 2014-15 school year.

One of the requirements in both competitive grants is that any test

content developed with the grants would be made “freely” available to states not included in the winning consortium as well as to commercial organizations. The final rules published in the Federal Register on April 9th state that the winning grantees “make all assessment content (i.e., assessments and assessment items) developed with funds from this competition freely available to States, technology platform providers, or others that request it for purposes of administering assessments, consistent with States’ needs and with consortium or State requirements for test or item security.” Later, the rule states that such content developed under the grant be made available to states that are not part of the consortium receiving funds, “as well as to commercial organizations wishing to further develop, extend, and incorporate content into assessment products intended for State use. Moreover, we believe that making assessment content freely available will spur innovation in assessment technology and enable technology providers to compete for States’ business on the basis of their developing efficient, effective, economical, and innovative assessment platforms.” The NGA-CCSSO document identifies a number of “shared priorities” between the two consortia on several items, including, “States should own the processes and products of assessment development.” This appears to be in conflict with the rules. Clearly some clarification needs to be made be in regulatory guidance and through negotiated agreements between the consortia and/or test developers. For a copy of the NGA-CCSSO document go to: <http://www.nga.org/files/pdf/1004NGA>

d) During the Association of Education Publishers (AEP) monthly government relations committee conference call, Chris Minnich who directs the Common Core Standards Initiatives for the Council of Chief State School Officers discussed possible opportunities for supplemental education publishers which might be created if the Common Core Standards currently being finalized are adopted by states. In response to a question during the SIIA forum (see March 11th TechMIS Special Report), he agreed with the National Governors Association estimate that of the 38 governorships that are up during the mid-term elections, 30 would result in new governors which could reduce the number of states adopting the Common Core Standards (currently from 48 tentative adopters) to between 30-35 states. During the conference call he felt that such estimates would likely still hold. States which were Race to the Top losers and scored in the lowest 25 or 30 percent in Phase 1 would also probably be in jeopardy of not adopting Common Core Standards. One possible opportunity for supplemental publishers could be in those 10-12 states (e.g., Massachusetts, California, New York, and Florida) which Minnich suggested are likely to add up to 15 percent more of their current high standards, particularly thought to be needed for their respective states over and above the Common Core Standards. Some other opportunities for the publishing industry he noted could be:

- Professional development which will be expanded in most states

to ensure uniform implementation;

- Some cost-cutting opportunities for sales across states of specific products as a separate line item.

In response to another question, he noted that the original six consortia state clusters created several months ago have now merged into two consortia of states which will likely bid on the competitive \$350 million grants to develop high-quality assessments. Minnich suggested that AEP develop its position on the Common Core Standards and make that available to both the CCSSO and NGA officials leading this initiative.

e) In response to his “reaching out to philanthropic communities to support high need rural schools noted in several recent speeches, Secretary Duncan announced on April 1st praised the creation of a partnership between the W.K. Kellogg Foundation and the Rural School and Community Trust which would increase participation of rural schools in the \$650 million i³ grant competition. As noted in the last TechMIS Washington Update, the Rural School and Community Trust announced several months ago that it would assist rural school applicants “in identifying promising innovations, completing applications, and building long-term capacity to complete competitive grant applications in the future, particularly for the i³ grant competition.” However, in his press release Secretary Duncan emphasized, “We must work together to ensure all schools can compete for the millions in Federal discretionary grants that are available to grow programs that work, regardless of their size or

location.” It would appear that the \$1.4 million grant to the Rural Trust will be used to provide technical assistance and professional grant writing support for rural schools intending to apply for i³ grants.

- f) The new Health-care law recently signed by the President includes \$375 million over five years for comprehensive approaches to sex education that integrate the use of contraceptives to reduce sexually transmitted diseases and also include “abstinence.” The Personal Responsibility Education Program is similar to the \$100+ million FY 2011 Pregnancy Prevention Initiative supported by the Administration; however, in a surprise to many critics of abstinence-only programs which have met “sunset” after ten years of funding, it would be resurrected receiving \$250 million over about five years. The abstinence-only program resulted from the inclusion of an amendment submitted by Senator Orrin Hatch and was included in the final legislation even though no Republicans supported the overall bill. However, according to Education Week, “Even though the abstinence program will have \$50 million to distribute annually over the next five years, some of that money may never be spent.” Before the program expired in 2009, 22 states had declined to participate according to a senior policy associate at the Guttmacher Institute that favors research and evidence-based approaches to sex education.
- g) Answering a question increasingly being raised in Washington about what happens if there is no ESEA

reauthorization this year, Jeff Simering, Director of Legislation for the Council of the Great City Schools, has reiterated two primary impacts predicted earlier by the Center on Education Policy and other informed observers that: (a) the number of schools identified for improvement under existing NCLB AYP calculations will increase dramatically over the one-third estimated last year; and (b) the 20 percent set-aside for supplemental educational services and public school choice will, therefore, increase dramatically and “will result in hundreds of millions of dollars devoted to activities of little or no academic benefit at a time when school districts are scrapping for every available dime.” Simering says “the fact that a third of the schools in the country have now been deemed as failures takes the meaning and credibility out of sanctions and the stigma out of labels. But the continued waste of scarce dollars on ineffective programs and activities is troubling. In the absence of a reauthorization, the current Department of Education could solve some of these side-effects if it wanted to through the waiver process.” His Legislative Column appeared in the CGCS Urban Educator (April 2010) at: www.cgcs.org

- h) Over the past month or so, the U.S. Department of Education has begun approving state applications under the School Improvement Grants (SIG) program. The SIG funds, set aside in the 2009 budget and stimulus program, are intended to be used to help states and school districts turn around their most persistently lowest achieving schools.

The money made available to states is

being distributed by formula and will then be competed out by the state to school districts. In order for a school district to apply for these funds, it must have a state-identified “persistently lowest achieving” or a Tier III school -- a school that has failed to meet annual yearly progress for two years and is not identified as a persistently lowest achieving school. However, Tier III schools can only receive funds once all the state’s persistently lowest achieving schools (Tier I and Tier II) have received funds. State applications, which include lists of persistently lowest-achieving schools, as defined by the state, can be found at: <http://www2.ed.gov/programs/sif/summary/index.html>

School districts will apply to the state for the funds this Spring. When school districts apply, they must indicate that they will implement one of the following four models in their persistently lowest achieving schools:

- **TURNAROUND MODEL:** Replace the principal, screen existing school staff, and rehire no more than half the teachers; adopt a new governance structure; and improve the school through curriculum reform, professional development, extending learning time, and other strategies.
- **RESTART MODEL:** Convert a school or close it and re-open it as a charter school or under an education management organization.
- **SCHOOL CLOSURE:** Close the school and send the students to

higher-achieving schools in the district.

- **TRANSFORMATION MODEL:** Replace the principal and improve the school through comprehensive curriculum reform, professional development, extending learning time, and other strategies.

Once schools receive SIG funds, they will be able to begin to spend them immediately to turn around schools this Fall. States may apply to the Education Department for a waiver to allow them to spend funds over a three-year period. An additional \$545,633,000 has been provided for SIG in 2010 and will be awarded to states to fund additional schools in the 2011-12 school year. The Department has also made a request for an additional \$900 million for the program in the 2011 budget.

States will not provide any services directly to any Tier I or Tier II schools under their SIG funding, except in the case of State takeover.

The table of individual states below cites the states’ planned schedules for implementing their SIG activities that USED posted in their approved application. However, because approvals of funding from USED have come much later than originally anticipated, many states will have to modify their schedules. We plan to update the table as additional information becomes available.

Planned State Timelines for School Improvement Grant Implementation

	Actual USED	Approval of SEA Application	SEA Assistance to LEAs	LEA Tier I/II Application Available	LEA Tier III Applications Due	Tier III Grantees Notified	LEA Tier II Application Available	Tier II Applications Due	Tier II Grantees Notified	Award Amount (millions)
Alabama	4/21	2/11-3/15	2/22	4/15	5/3			6/3		\$58m
Alaska	4/12									\$11m
Arizona	4/7	2/3-3/23	3/29	5/14	7/1					\$70m
Arkansas										
California										
Colorado	4/12	2/9	3/10	4/14	4/30					\$40m
Connecticut	4/15	2/22	3/1-31	5/31	7/1					\$26m
Delaware										
District of Columbia	4/2									\$12m
Florida										
Georgia	4/6	2/12-3-1		4/15	6/11					\$122m
Hawaii										
Idaho										
Illinois										
Indiana	3/26	2/1-2/28	4/1	4/30	5/31	4/30	5/31	6/30		\$61m
Iowa										
Kansas										
Kentucky	4/21	3/30	3/30	4/30	5/30					\$56m
Louisiana										
Maine										
Maryland	3/26	3/25	3/26	4/20	6/30					\$47m
Massachusetts										
Michigan										
Minnesota	3/17	3/1-5/31	3/31	5/31	6/30					\$34m
Mississippi										
Missouri	4/12	4/27	4/5	6/14	7/23					\$54m
Montana										
Nebraska										
Nevada	4/15	3/1-4/30		4/30	5/31					\$23m
New Hampshire										
New Jersey	4/7		3/30		5/15		6/15	6/30		\$66m
New Mexico	4/7	2/1	2/28	3/24	4/30					\$38m
New York										
North Carolina	4/7			4/30	5/15		6/15	6/30		\$91m
North Dakota										\$11m
Ohio	3/26	3/1-4/30	3/1	4/30	6/1					\$132m
Oklahoma										
Oregon										
Pennsylvania										
Rhode Island										
South Carolina	4/15	3/4-4/23		5/14						\$51m
South Dakota	4/15		2/19	4/9	5/7	3/19		5/7		\$11m
Tennessee										
Texas	4/2	3/1-4/30	4/10	5/15	5/31			10/1		\$338m
Utah	4/14	3/19	3/19	5/7	5/21					\$17m
Vermont										
Virginia	4/15	2/1-2/28	4/29	5/29	6/28	6/1				\$60m
Washington	3/26	1/28	1/29	3/5	3/26					\$50m
West Virginia	3/12	3/9	4/21	5/25	7/6					\$22m
Wisconsin										
Wyoming										

Arizona Update

April 2010

The Arizona Republic reports that, as part of Arizona's efforts to balance its budget, it has eliminated the entire \$218 million in funding for the State's full-day kindergarten program. Begun in 2005, the effort will see many of its programs close permanently while others might stay open with minimal staff. Still others may be available to parents who can pay out-of-pocket.

Arizona has proposed a plan -- called the Grand Canyon Diploma -- by which students who pass new exams and core courses could graduate from high school early. As reported in the Arizona Republic, the Diploma would not prepare students for competitive four-year colleges, but would allow students to avoid the State assessment and go to a community college, vocational school, or the workplace. The State would continue to provide funding to high schools as if the early graduates were still attending but the schools would have to use the money to support the early graduates in their community college or other programs. Community colleges would be required to accept students that hold Grand Canyon Diplomas without enrolling them in remedial courses because of the rigorous program leading up to the diploma. Arizona is part of collaboration of eight other states (Connecticut, Kentucky, Maine, New Hampshire, New Mexico, Pennsylvania, Rhode Island, and Vermont) to offer the same curriculum and early diploma.

California Update

April 2010

The Mercury News reports that California's alternative teacher certification programs are planning to work with local school districts to offer special education training to teachers who are at risk of losing their jobs as a result of the State's budget crisis. The California Teacher Corps (CTC) says more than 23,000 California teachers are at risk of not having a position in the Fall. Last year, according to the CTC, 3,500 California special educators received an alternative certification. Some of the programs have begun offering a fast-track option for general educators to become special education certified.

The Press Telegram reports that a partnership among the Long Beach school district, the local community college, and the State University's Long Beach campus has shown an increase in student performance in higher education. Called "The Long Beach College Promise," the partnership has improved higher education enrollment and college readiness by such measures as:

- More Long Beach high school graduates are enrolling in college;
- Long Beach students entering college show stronger math skills than other students; and
- Long Beach high school graduates entering college are more likely than other students to remain enrolled in college after one year.

Partnership officials note, however, that the program's success is threatened by the huge reductions in State funding.

Colorado Update

April 2010

According to The New York Times, Colorado, which finished 14th in the first round of the Federal Race to the Top (RTTT) competition, had hoped to win as much as \$377 million. Many in Colorado see RTTT as a Federal intrusion and the State is undecided about whether to apply in the second round. Colorado apparently lost scoring points because 40 of its 178 local school districts did not participate in the State's application. Governor Bill Ritter said, "People judging our application may not have appreciated that in the West there is a great deal of local control....Many school districts don't like federal mandates." Many believe that in Colorado -- with a lower second round cap of \$175 million -- and many other states, the influence of teachers' unions have been strengthened in opposition to further RTTT participation.

The Denver Post subsequently reported that Colorado, in an effort to improve its chances for funding in Round 2 of the Federal Race to the Top competition, is attempting to change its teacher tenure laws. Senate Bill 191, now being considered in the State legislature, would:

- define effective principals and teachers using student academic growth data as a measure of effectiveness;
- base 50 percent of teacher evaluations on student academic growth;
- base two-thirds of principal evaluations on student academic growth and teacher effectiveness; and
- grant tenure after new teachers demonstrate these years of being "highly effective" as heavily measured by student academic growth.

Connecticut Update

April 2010

Using a new data system for calculating high school graduation rates, Connecticut has found that its rates are far lower than had been reported in the past. The new system, based on criteria established by the National Governors Association, shows that, in 2009, only 79.3 percent of Connecticut high school students received their diplomas in four years. Using the State's earlier definitions, the State showed graduation rates of 92 percent in 2006, 2007, and 2008. Moreover, differences among students groups in 2009 were significant. While 86.8 percent of white students graduated in four years, only 58 percent of Hispanic students, 66 percent of black students, and 60 percent of low-income students did so.

The Connecticut Supreme Court has ruled that the State's Constitution guarantees K-12 students the right to a quality education. The [State EdWatch](#) blog on [edweek.org](#) notes that the Court's opinion opens the door to a lawsuit that could change the State's funding formula. Originally filed in 2005 by the Connecticut Coalition for Justice in Education Funding, the suit says achievement gaps between richer and poorer school districts raise questions as to whether the State's funding formula is Constitutional.

Connecticut will receive \$25.7 million under the Federal School Improvement Grant (SIG) program to turn around its persistently lowest achieving schools. Connecticut will assign a Technical Assistance Team to each LEA SIG grantee. The Team will review implementation of SIG interventions and monitor schools' progress in meeting three-year student achievement goals. This monitoring will determine whether SIG grants will be renewed. If the SEA does not have sufficient SIG funds to serve all eligible schools in an LEA, priority will be based on:

- the number of Tier I, Tier II, and Tier III schools in the LEA;
- the LEA's history with implementing corrective action and restructuring plans;
- the way SIG funds will be used to support the staffing and organization at the district level;
- how LEA and school staff will be trained in the implementation of the selected

intervention model;

- how the LEA will monitor schools' implementation of the selected model;
- how the LEA will monitor the allocation of resources to implement effectively the selected model in each school;
- whether an LEA will need less than \$2 million per year for a Tier I or Tier II school.

The SEA will give priority to LEAs with Tier I and Tier II schools that also have Tier III schools in corrective action or restructuring. Connecticut's SIG application is available at: <http://www2.ed.gov/programs/sif/summary/ctapp.pdf>

Florida Update

April 2010

The [Orlando Sentinel](#) reports that Governor Charlie Crist has signed into law a new requirement that Florida high school students take more rigorous math and science courses and that they pass new end-of-course exams in order to graduate. According to Senate Bill 4, students will now be required to pass geometry, algebra 2, biology, and either chemistry or physics and will have to pass to-be-developed end-of-course exams in algebra 1, geometry, and biology. The new exams will replace the math and science sections of the existing Florida Comprehensive Assessment Test. The new requirements will be phased in beginning with entering freshmen this Fall -- the Class of 2014.

In 2008, Florida adopted new social studies standards to begin in 2012; these include a more rigorous civics component that will become part of seventh-grade social studies. According to the [Orlando Sentinel](#), the Florida legislature is considering measures that would make civics a required subject on its own. Under SB 1096 and HB 105, civics would be a required seventh-grade course and would become part of middle school high-stakes testing. Students would have to pass a new Statewide civics test to be promoted out of middle schools and schools' report cards would, in part be determined by students' civics best scores. The Senate bill would also require that "civics-related content" become part of language arts instruction at all grade levels.

As reported on [Tampabay.com](#), Governor Crist has also signed Senate Bill 2126, a bipartisan measure that offers greater incentives for corporations to fund the State's private-school voucher program, removes a cap on donations, and significantly increases the value of the "tax-credit vouchers." Currently, 27,700 low-income Florida students take advantage of the \$3,950 vouchers. The program has grown at a rate of 22 percent a year for the past five years; at the same pace, it will have 70,000 students by 2015. Under the new law, the value of the vouchers will increase until it reaches 80 percent of the State's per-pupil funding. The current per-pupil amount is \$6,866 putting the eventual value of the vouchers at at least \$5,492 annually.

As reported in Education Daily, Governor Crist vetoed a bill that would have linked teachers' pay to their students' performance and eliminated tenure for new teachers. Senate Bill 6, which had been met with much vocal opposition by teachers and others, could, according to the Governor, infringe upon "the constitutional authority of school boards," because it required State sign-off before many local plans could be implemented. Moreover, the Governor said the measure did not properly accommodate special education students and teachers. Supporters of the bill -- mostly Republicans like the Governor -- have said they will try to toughen existing laws that require using student performance to evaluate teachers.

Inside Higher Ed notes that Florida hopes to reduce the need for remediation in community colleges through "early intervention" in high schools. The State plans to provide an opportunity for college placement testing and remediation while students are still in high school. State education officials believe that, given Florida's higher education funding difficulties, it will be more efficient to share the responsibility for college readiness with public school districts. Moving most developmental education to twelfth grade could free up funding for college-level courses in community colleges.

Hawaii Update

April 2010

The Honolulu Advertiser reports that, as part of Hawaii's plan to turn around its lowest-performing schools, it is implementing a concept called Zones for School Innovation. The approach gives struggling schools the authority to change the length of the school day and school year, to revise teaching methods, and to measure teacher effectiveness and reward teachers based on student achievement. The model will be administered by the national New Technology Foundation over the next four years in two schools -- Nanakuli (High and Intermediate) and Waianae (High) -- with \$1 million in support from the Harold K.L. Castle Foundation and Kamehameha Schools. The New Technology approach incorporates continuous teacher development and coaching, one-to-one computing, project-based learning, and the requirement that students earn college credits while in high school. It is expected that many of the schools in the Zones for School Innovation will be Title I schools and will be funded, at least in part, by Federal funds.

Idaho Update

April 2010

The Idaho Statesman reports that Idaho has decided not to administer the State writing and mathematics assessments in the 2010-11 school year. Carrying an annual cost of \$250,000, the tests have been used by teachers to identify students' problem areas, but they were not part of Federal accountability measures. State officials expect to make the discontinuation of the assessments permanent. Idaho is working with other states, as part of the Common Core Standards Initiative, to develop the next generation of assessments.

The Idaho Statesman also reports that a bill being considered in the State legislature would reward students who graduate early from high school. The current annual per-pupil State aid is \$4,593; the pending bill would provide about 35 percent of that amount in the form of a scholarship to an Idaho college for each year a student graduates early. Under the measure, 21 of the State's 115 school districts and three charter schools would participate in a pilot program through 2016. If the plan is successful, it would be expanded after that date.

KIVI-TV in Boise reports that an Idaho State legislator has proposed a bill that would change the State law that limits to six the number of new charter schools each year. The bill would lift the limits for charter schools that are designed to serve low-income, minority, at-risk, gifted, immigrant, or disabled populations. The State believes its existing State cap on charter schools will not hurt Idaho's chances of being funded under the Federal Race to the Top program.

Illinois Update

April 2010

According to the Chicago Tribune, the Illinois legislature is considering a measure that would allow local school districts to reduce transportation and utilities costs by going to a four-day school week for students. Under the bill, students would be required to go to school for the same number of hours each year; the change would mean longer school days or abbreviated vacation periods. The legislation is opposed by a number of educational organizations including the Chicago Teachers Union.

The Chicago Tribune also reports that the Chicago school district is planning a major overhaul of its \$850 million-a-year special education programs. Specifically, the district will implement a data-driven system that will be able to track students with disabilities from the moment families make initial contact with the schools. The new system is expected to be more “parent friendly” by keeping careful track of parent complaints so potential problems with special education students can be addressed.

The Chicago school district has adopted a new policy of allowing top students from the City’s failing schools to transfer to the four top schools in the district. A total of 336 eighth-grade students at failing elementary schools have been invited to apply for 25 openings at each of Jones College Prep, Whitney Young Magnet, Walter Payton College Prep, and Northside College Prep. The district’s new policy is part of a strategy to maintain diversity in district schools without using race as a primary factor. The district has not released the racial breakdown of the students receiving offers.

Indiana Update

April 2010

Indiana will receive \$61.3 million in Federal stimulus money as part of School Improvement Grant program. The money will be targeted on the State's persistently lowest-achieving schools. Districts will have to submit applications to the State in order to receive funding.

As reported in the Post-Tribune, Indiana has approved a reform in the coursework required for new teachers in the State. Educators in grades 5-12 will have to hold a bachelor's degree in the subject matter they plan to teach and minor in a "developmentally correct" education program. The State's Rules for Educator Preparation and Accountability (REPA) will also result in colleges establishing alternative licensure programs for State approval. REPA also provides more flexibility for teachers to renew their licenses and makes it easier for current teachers to teach other courses by passing subject matter tests. The new rules become effective this July and will be phased in through 2014. The changes will not impact college graduates before 2013.

According to the THE Journal, starting next school year, Indiana's Rural Community Academy, working in partnership with Connections Academy, will offer a Statewide virtual school for students in grades 1-8. Known as Indiana Connections Academy Virtual Pilot School (INCA-VPS), it will provide tuition-free education for Indiana students, including teachers, support staff, and learning coaches. It will also provide an assessment of each student's needs and prescribe a customized instructional plan. Connections Academy operates regional K-12 online schools in 15 states.

Iowa Update

April 2010

The Quad-City Times reports that Judy Jeffrey is retiring as Director, Iowa Department of Education. Current administrator for K-12 education, Kevin Fangman, has been appointed Acting Director until a permanent replacement is named. Jeffrey was instrumental in implementing Iowa's core curriculum and establishing a Statewide preschool program.

The Des Moines Register reports that many of Iowa's lowest-rated schools plan to decline funds from the Federal School Improvement Grants program because they are skeptical about the Federal reform strategies. The State has received \$18.7 million to turn around 35 of its "persistently lowest-achieving schools," but 11 of the schools have said that the money -- between \$50,000 and \$2 million per school -- is not worth the trouble of replacing principals, overhauling lesson plans, and renegotiating with teachers' unions. Des Moines, the State's largest district, plans to apply for all nine of its eligible schools but may not be able to get all nine applications ready by the submission deadline.

Kansas Update

April 2010

Kansas, which failed to make the cut in the first round of the Federal Race to the Top competition, has decided not to reapply for Round 2. The State's three major shortcomings in its initial RTTT application were: (1) the lack of a Statewide evaluation system for principals and teachers; (2) no system for linking teacher compensation to student achievement; and (3) inadequate pathways for other professionals to become licensed teachers. State officials said that RTTT requires more centralized control of public education than is traditional in Kansas.

Louisiana Update

April 2010

According to The Advocate, Louisiana plans to adopt the common-core standards developed by the National Governors Association as early as this Spring. State officials say the new standards are about one grade level ahead of the State's current curriculum. So, from kindergarten through twelfth grade, English and math instruction is expected to become a good deal more rigorous. Moreover, Louisiana teachers will have to undergo intensive training to handle the new material.

Also reported in The Advocate, the Louisiana legislature is considering a measure that would link teachers' job status to their students' classroom performance. Supported by Governor Bobby Jindal, House Bill 1033 would make "evidence of growth in student achievement" part of teacher evaluation criteria. The Governor's legislative agenda supports the bill because it "works by establishing expectations for what students should learn throughout the year." Last year, the State allocated \$580,000 to develop a system linking evaluation of teacher effectiveness to student achievement.

The New Orleans Recovery School District is experimenting with an approach to disciplinary problems that calls for transferring problem students to new schools rather than expelling them to a special alternative school. Each transferred student and his/her family must agree to a contract that calls for a behavior-intervention plan including meetings with a social worker and school psychologist. Students continuing to misbehave can be sent to an alternative school. Last year, 442 New Orleans students were expelled to special alternative schools; 82 were given discipline transfers.

Maine Update

April 2010

Maine's Commissioner of Education, Susan Gendron, has stepped down to become policy director for the Smarter Balanced Assessment Consortium, a partnership of 35 states working on the development of common assessments. During her seven years in office, Gendron was instrumental in implementing Maine's new State assessment tests, overseeing the State's controversial school district consolidation, and expanding the State's student laptop computer initiative to middle and high schools.

Maryland Update

April 2010

According to [The Washington Post](#), the Maryland legislature is debating a bill that would provide tax credits for businesses that contribute to private schools. The measure, which has twice before failed to pass the legislature, would give tax credits to businesses that donate money for private school scholarships and public afterschool programs. Proponents of the bill, including Governor Martin O'Malley, say it will help keep such schools open and will make it easier for low-income students to attend private schools. Opponents claim it is a “back-door” voucher program that would take funding away from public schools.

During a forum sponsored by the Center on Education Policy, Bob Glascock of Maryland's Breakthrough Center described the role of the Breakthrough Center as moving the State from compliance monitoring to capacity building to assist districts turnaround lowest-performing schools. The Breakthrough Center assesses districts' capacity to implement and sustain reforms and then develops partnership agreements that define State and district roles in school improvement. The Center was designed to provide differentiated services following recommendations of Mass Insight which is currently working with a number of states in developing plans for School Improvement Grants (SIG).

As reported in the [Baltimore Sun](#), Maryland has released its planned application for Round 2 of the Federal Race to the Top competition (the State did not submit for Round 1). Among the key elements of the application are a new framework for evaluating teachers which takes into account student progress on test scores and cooperation between local school districts and teachers unions on the development of the evaluation system. The State's proposal would also overhaul Statewide testing and toughen graduation requirements in math and science. The State plans to adopt the nationally developed “common core” standards in reading and math, and Maryland high school students will be required to take four years of math. The State's plan also offers extra pay for principals and teachers in low-income schools. Many local teachers unions have decided not to sign the RTTT application which, in itself, will hurt the State's chances.

Minnesota Update

April 2010

The Minneapolis Star Tribune reports that Minnesota Governor Tim Pawlenty has set forth an education reform agenda by which the State could win as much as \$175 million under the Federal Race to the Top competition. Having failed to win during Round 1 of RTTT, Minnesota must, according to the Governor, make a number of changes if it is even to apply for RTTT money in Round 2. Among the changes are ensuring that mid-career professionals can become teachers, and requiring teachers to reapply for tenure every five years. The Governor believes these proposals would get better teachers into the classroom faster.

Also as reported in the Star-Tribune, a new Minnesota State law was intended to address criticisms about the quality of education delivered by the State's 152 charter schools, which enroll 33,000 students Statewide. The law requires authorizers to submit to a longer certification process and to monitor charter schools more closely. The effect of the law, however, has been to cause the State's 52 charter school sponsors -- many of them school districts -- to question whether they want to continue sponsoring charters. The Minneapolis district has said it will continue to sponsor its two charter schools. But the Minnesota Department of Education will not sponsor its seven charter schools next year and seven of the 14 other school districts that sponsor charters are either thinking about or planning to discontinue overseeing their charter schools.

Mississippi Update

April 2010

Mississippi did not submit an application in the first round of the Federal Race to the Top (RTTT) competition, but does plan to submit under Round 2. The Sun Herald reports that, in order to position the State better for RTT, the Mississippi legislature is considering a proposal that would give parents the option of creating charter or “new start” schools as conversions of failing schools. Currently, 212 of the State’s 951 public schools are identified as failing or at risk of failing. Although the State hopes to win between \$47 million and \$175 million under the RTT competition, officials have expressed concern over the lack of an infrastructure to manage new charter schools.

Missouri Update

April 2010

Declining tax revenues have caused Missouri officials and lawmakers to look for \$500 million in cuts from the State's \$23.9 billion budget for the fiscal year that starts on July 1. Among the cuts being considered by the State legislature is an \$18 million reduction in the *Parents as Teachers* early childhood program originally budgeted at \$31 million. According to Education Week, the *Parents as Teachers* program, which has spread nationally over the last 20 years, serves more than 85,000 Missouri families with children aged 0 to 3 and 61,000 families with children aged 3-5. Other cuts, affecting all departments, include a 20 percent reduction in expenditures for professional development.

As reported in the News Tribune, Missouri legislators have given preliminary approval to a bill that would give local school districts more flexibility in such areas as class scheduling and merit pay for teachers. The measure would allow year-round schooling and would allow districts to offer two start dates for kindergarten classes -- one at the beginning of the school year and one halfway through. It would also free districts from State requirements requiring a certain amount of State school money to be spent on teachers' salaries and professional development. The bill still has a long way to go before it is approved by the full legislature and the Governor.

Nevada Update

April 2010

The Las Vegas Sun reports that Nevada's strict requirements and prohibition against for-profit charter schools has contributed to the slow growth of alternative programs in the State.

Currently, Nevada has only 28 charter schools. This year, 12 charter school operators applied for State approval to begin operation for the 2010-11 school year; only one was approved.

Moreover, the State's struggling economy has made it difficult for charter school operators, who often need financial support from philanthropic organizations for start-up, to obtain initial funding. Many foundations have suffered from the economic downturn and are unable to provide support for charter schools.

Nevada will receive \$23.4 million under the Federal School Improvement Grant (SIG) program to turn around its persistently lowest achieving schools. If the Nevada SEA does not have sufficient SIG funds to make awards to each LEA that submits an approved application, it will give first priority to LEAs planning to serve both Tier I and Tier II schools. Second priority will be given to LEAs that apply to serve only Tier III schools. The LEA will also seek to ensure that the Tier I and Tier II schools served are distributed geographically throughout the State. When prioritizing among Tier III schools, LEA will be required to focus on: (1) clusters of elementary/middle schools that feed into Tier I and Tier II middle/high schools; and (2) schools that are in corrective action or restructuring. Nevada's SIG application is available at: <http://www2.ed.gov/programs/sif/summary/nvapp.pdf>

New Jersey Update

April 2010

According to Education Week, New Jersey Governor Chris Christie has declared that he will offer more State aid to local school districts that freeze teacher salaries for FY 2011. The governor argues that, with the State facing a ten percent unemployment rate, teacher raises of up to four percent are too high. Under the State's proposed budget for 2011, school districts can expect to lose five percent of their budgets, forcing possible layoffs and program cutbacks. The proposed additional State money could offset the expected cuts in regular State aid. The State has said it would return to the districts all the money the State it saves on Social Security and Medicare payroll taxes.

A bipartisan proposal in the New Jersey legislature, supported by Governor Christie, calls for a five-year pilot program -- like a similar one in Pennsylvania -- under which low-income students in "chronically failing" public schools could apply for scholarships to private schools.

According to the Philadelphia Inquirer, the scholarships would be funded by contributions from private corporations who would receive dollar-for-dollar tax credits. Total contributions would be capped at \$24 million for the first year of the pilot program and increase to \$120 million by the fifth year. Eight percent (205) New Jersey schools meet the definition of "chronically failing." The bill would also create a competitive grant process by which the failing schools could compete for State money for improvement.

The New York Times reports that, in April's school-budget elections, 58 percent of districts' budgets were rejected by New Jersey voters. Voters were angered by higher property taxes needed to offset cuts in State aid and by teachers' unions refusal to make wage concessions. Governor Christie, in an effort to close an \$11 billion budget deficit, has proposed cutting direct State aid to districts by as much as five percent of operating budgets. Local district officials have said that they will likely have to lay off hundreds of teachers, increase class sizes, cut kindergarten hours, and eliminate Advanced Placement classes.

New Mexico Update

April 2010

Education Week reports that New Mexico Governor or Bill Richardson has approved a \$5.6 billion State budget for FY 2011 of which \$2.4 billion is appropriated for public K-12 schools -- up from \$2.3 billion for the current fiscal year. However, because of the lack of Federal stimulus money in FY 2011, the net effect is a 1.2 percent cut in total public school support. The Governor also signed into law the State's Hispanic Education Act which is intended to close the achievement gap between Hispanic and other students. And the State legislature has passed a measure to expand New Mexico's dual-credit program to include high school students in Bureau of Indian Education schools and tribal colleges.

New Mexico, like ten other states, is now compiling graduation rates based on five-year, rather than four-year, completion data. As a result, New Mexico's high school graduations rate for 2008 was 66.2 percent up from the 60.3 percent reported the year before. Over the past five years, 81 of the State's 89 school districts have shown increased (four-year) graduation rates. The State's graduation rate report is available at: <http://www.ped.state.nm.us/graduation/>

New York Update

April 2010

After Governor David Paterson and the New York legislature failed to agree on a budget for the new fiscal year (which began April 1), the State decided to delay State aid payments to local school districts -- totaling \$2.1 billion. As reported in The New York Times, the State also decided to withhold payments on current State construction projects and to delay new projects. Not affected by this decision are \$10 million in emergency projects or activities financed with Federal stimulus money.

As reported in The New York Times a New York State Supreme Court judge has ruled that the closing of 19 low-performing schools in New York City violates a new State law governing mayoral control of schools. Under Mayor Michael Bloomberg, the City has closed 91 schools since 2002, replacing many large high schools with smaller and/or charter schools. The Court's ruling was based largely on City's lack of detailed "educational impact statements" describing the effect of each closing on students and surrounding schools. The Court did not dispute the City's right to close schools for poor performance including low graduation rates.

North Carolina Update

April 2010

Wake County, North Carolina's largest school district, has elected to stop busing students for diversity purposes after 2012. As reported in Education Week, the district's decision has raised concern among advocates for greater integration in schools. The County's growth over the past 20 years has meant greater shuffling of student assignments to achieve racial balance among schools. Over the next nine to 15 months, the district will develop a new plan based on redrawn attendance zones. The State's chapter of the NAACP has said it will take legal action if socioeconomic diversity is not part of the plan. In large part because of the controversy, the district superintendent, Del Burns, announced his retirement and was subsequently put on administrative leave.

Ohio Update

April 2010

According to the [Columbus Dispatch](#), Ohio's application for \$400 million under Round 2 of the Federal Race to the Top competition includes shifting a greater share of the award -- \$15 million more -- to local school districts. The revised plan would guarantee a minimum of \$100,000 for each of the State's 614 districts and \$25,000 for each of 320 charter schools. Over the four-year RTTT plan, Cleveland, for example, would get \$21.6 million and Columbus would receive \$15 million. The funds would be distributed based on each district's (or charter school's) percentage of Ohio's economically disadvantaged students. State officials hope the increased funding to districts will cause more districts to sign on to the RTTT application.

Also as reported in [The Columbus Dispatch](#), Democrats in the Ohio legislature have introduced a bill that would require textbook publishers to produce electronic versions of their college textbooks. The measure is intended to reduce the cost of books to students by about half. If passed, the bill would give publishers two years to provide electronic versions of their textbooks, as well as formats for students with disabilities. The measure would also implement a bulk purchasing program for books, prohibit textbook and material bundling, and prohibit professors from receiving incentives (except royalties for writing them) for using particular textbooks. Proponents of the plan say the biggest obstacle is convincing college faculty to use electronic versions.

Cynthia Lemmerman, Associate Superintendent for the Ohio Center for School Improvement described the overall State strategy during a recent forum sponsored by the Center on Education Policy. Beginning in 2007, districts began to use a decision framework to examine student achievement data and other data in order to plan school improvement based on data analysis. In 2010, the State developed a management monitoring tool that districts use to monitor student progress and track resource allocation. According to Lemmerman, two changes are imminent. The first is increasing community and parent engagement and the second is the creation of a Center for Education Reform and Strategic Initiatives.

Oklahoma Update

April 2010

The Oklahoma legislature is considering two bills that would expand to educational options available to students. Senate Bill 1862 would:

- eliminate the limit of three new charter schools established each year;
- allow Indian tribes and large cities (Oklahoma City and Tulsa) to establish charter schools; and
- designate charter schools as local education agencies for purposes of Federal funding.

The bill sponsors noted that Oklahoma has had a charter school law for ten years yet has only 17 charter schools. A second measure, Senate Bill 2330 would allow school districts or schools to become “empowered” schools which provide them with waivers from certain State restrictions and give teachers more influence over school operation.

Oregon Update

April 2010

The Statesman Journal reports that Oregon was one of six states (along with Kansas, Louisiana, Rhode Island, Vermont, and Washington) selected by the National Governor's Association to develop an early childhood education system that could serve as a model for other states.

Oregon's program is intended to improve center-based and home-based child-care services. The NGA, in coordination with the new Education and Quality Investment Partnership, will provide technical support.

Pennsylvania Update

April 2010

According to [eSchoolNews](#), Pennsylvania has launched its Digital Learning Library (DLL) designed to provide interactive and customizable digital content. Pennsylvania's DLL, created in partnership with the Public Broadcasting Service (PBS), is the first State DLL in the nation. State officials say the DLL incorporates clear standards, fair assessments, a curricular framework, instructional materials and resources, and appropriate interventions and safety nets. All DLL resources are aligned with State and local standards and the content -- developed in conjunction with Penn State University -- is available exclusively through local public television stations.

Rhode Island Update

April 2010

As reported in Education Week, Rhode Island's Education Commissioner, Deborah Gist, in her annual address to the State legislature, decried the condition of Rhode Island schools and their effect on the State's economy. She cited data showing only 55 percent of Rhode Island's high school students are proficient in basic math and only 61 percent can do basic science. And only 17 percent of the State's low-income students are proficient in reading. Gist noted that Rhode Island was one of 16 finalists in the first round of the Federal Race to the Top competition and hopes to be successful in the second round, in part because of the increase -- from 20 to 35 -- in the cap on the number of charter schools allowed in the State. She also noted that the State has established a State-funded prekindergarten program and a Statewide evaluation standard for educators.

Tennessee Update

April 2010

As one of two winners in the Federal Race to the Top competition, Tennessee will have approximately \$500 million for turning around its low-performing schools. Among the changes made by the State in recent years, as cited in Education Week, are:

- revamping its standardized tests and academic standards as part of its participation in the American Diploma Project;
- overhauling its education funding formula to channel more aid to at-risk students;
- implementing tougher high school graduation requirements;
- increasing the limit on the number of charter schools allowed in the State and broadening the pool of students eligible to attend charter schools; and
- a new teacher evaluation system, 50 percent of which will be based on student achievement growth.

As reported in The Tennessean, about half of the State's RTTT award will go to local school districts, with 40 percent of that going to Memphis and Metro Nashville. The State has said that districts will have flexibility to develop innovation proposals, but expects many to focus on professional development -- particularly training on computer systems and performance measures. Nashville, in particular, expects to use its RTTT money (more than \$30 million) for teacher training, efforts to improve the performance of at-risk students, the rollout of new information technology systems, and reorganization of the central office.

The Memphis Commercial Appeal reports that Tennessee has set aside a portion of the \$500 million it won in the first round of the Federal Race to the Top competition for alternative teacher licensing programs, expecting to bring in 1,150 new teachers over the next four or five years. Memphis, in particular, with its share of RTTT money and a Gates Foundation grant, is seeing a sharp increase in its number of alternatively certified teachers. *Teach for America*, for example, has doubled the number of its participants in Memphis classrooms from 50 to 100. And *The New Teacher Project* has had 1,400 applicants, from which it will select 50 to 75, to

teach high school math, French, Spanish, chemistry, special education, and all middle school subjects.

According to The Tennessean, Tennessee is operating a Federally-funded e-learning project -- known as e4TN -- that allows multiple school districts to pool resources so that students can take advantage of courses not offered in their home school, ranging from credit recovery to Advanced Placement. According to the program's website, e4TN began in 2006 in one district with two teachers offering online summer school using vendor-based courses. Now, it serves students in 64 Tennessee districts with a full online high school curriculum developed by e4TN.

The Tennessean reports that this year's State budget has eliminated funding for the three-year-old Tennessee Governor's Academy for Mathematics and Science. The State expects to save \$1.5 million a year by closing the Knoxville school. Parents of Academy students are up in arms despite the State's assurance that current students will be allowed to graduate from the program. State officials say that a portion of the \$500 million for which Tennessee qualified under the Federal Race to the Top competition will be used to establish math and science magnet schools across the State.

Texas Update

April 2010

A Federal appeals court has reversed a 2008 district court ruling that Texas must restructure its secondary school programs for English language learners (ELLs). Under the original lawsuit, the League of United Latin American Citizens (LULAC) argued that the State failed to take appropriate action to overcome language barriers for ELLs and that the State had not properly monitored such programs. The appeals court disagreed, but did encourage LULAC to add individual school districts to the case so that the court could better examine individual circumstances. The court also called “alarming” the achievement gap of 35 to 45 percent between ELLs and other students. The State expressed pleasure with court’s ruling and highlighted its successful bilingual program at the early grades.

As reported in The Dallas Morning News, Texas Governor Rick Perry has proposed to eliminate traditional textbooks in favor of digital formats. The Governor has said he will raise the issue with the State legislature when it next meets in 2011. The legislature has already given the State authority to review some online instructional materials and to add them to the State’s list of materials approved for schools to use. Two new State laws allow the State to select a list of electronic textbooks including open-source content; a draft list is expected to be available in May. Districts can also use their textbook funds for electronic content and devices to access it. It is not clear how much of the State’s \$800 million textbook budget in 2010-11 will go for digital materials. Among Texas’ more innovative districts, Dallas will explore incorporating digital materials into its curriculum but has no immediate plans to use online textbooks. Plano will, next year, give secondary students online access to English language arts texts. And Irving, which has provided laptop computers to all high school students for a decade, is reluctant because it believes electronic textbooks should be available at a lower price than hard-copy texts.

Texas will receive approximately \$338 million under the Federal School Improvement Grants program. State officials have identified more than 1,600 low-performing schools from which it

will likely select about 100 for SIG funding.

As reported in The Dallas Morning News, the Dallas school district is planning to purchase more than 500,000 new reading and literature textbooks using what is supposed to be a fair and competitive process. However, a number of potential irregularities have arisen including:

- The district's textbook committee is recommending books from a publisher that apparently violated selection-process rules.
- Electronic voting by teachers omitted two publishers.
- Teachers overwhelmingly voted for one company's elementary-level books, but the textbook selection committee chose another publisher.

In Texas, the State pays directly for textbooks ordered by the districts. The State spends between \$8.8 million and \$21.2 million a year on Dallas textbooks in 2005-06 through 2008-09.

The Houston Chronicle reports that the Houston school district has proposed a plan by which students with discipline problems could be transferred to other schools to get them away from enabling friends. Each transferred student would have to sign a behavior contract and would receive a mentor for which the student's new school would receive \$10,000. The district would still have a separate alternative school for students with major discipline problems and plans to sever its ties with Community Education Partners, a private firm that has operated the alternative school for more than ten years at a cost of \$20 million per year. Houston's approach is similar to one being tried in the New Orleans Recovery School District.

Utah Update

April 2010

The Utah legislature has approved an education funding bill that will require local school districts to share their property tax revenues with charter schools. Deseret News reports that, because charter schools cannot levy taxes, they are funded from a separate pot of State and local money known as the “local replacement fund.” Last year, the replacement fund included \$45 million in State money and \$5.6 million from school districts. The new financing plan will eliminate the “local replacement fund” and require school districts to pay charter schools a per-student portion of their property tax revenues.

The Deseret News also reports that Utah Governor Gary Herbert has established an “Education Excellence Commission” whose goal is to implement Statewide education reform and long-range planning. Specifically, the Commission could explore education funding, improving curricula, attracting students to math and science, and the affordability of post-high school education/training. With the Governor as chairman, the 25-member Commission includes representatives of public K-12 and higher education, business officials, legislators, and one representative each from the State teachers union, the PTA, and Parents for Choice in Education.

Utah will receive \$17.4 million under the Federal School Improvement Grant (SIG) program to turn around its persistently lowest achieving schools. The SEA will determine each LEA’s capacity to serve all of its Tier I schools based on a number of factors including whether it has established partnerships with outside consultants and its ability to commit additional resources to intervention models. Any LEA that does not apply on behalf of all eligible Tier I schools must justify this in its SIG application to the State. If an LEA’s application is not approved, the SEA will carry over the required 25 percent of 2009 ARRA SIG funds to the 2010-11 SIG process. If the SEA determines that an LEA/school is not making adequate implementation progress, the SIG grant for the subsequent year may be reduced or eliminated. If school is not meeting goals after the first year, the LEA will be required to hire an outside consultant to assist in revising

goals, plans, and strategies. If the SEA has sufficient funds to serve all Tier I and Tier II schools, the remaining funds may be awarded to LEAs on behalf of their Tier III schools. Utah's SIG application is available at: <http://www2.ed.gov/programs/sif/summary/utapp.pdf>

Virginia Update

April 2010

As reported in the [Waynesboro News Virginian](#), Governor Robert McDonnell has signed into law a measure that would establish a K-12 online learning program as part of the State's education reform package. The State will develop policies for the virtual school and will review online programs offered by private companies and provide school districts with a list of approved providers. The programs will have to meet Virginia content standards and participating students will have to pass the State's Standards of Learning testing program. Students will enroll in the virtual school beginning in the Fall of 2010.

As reported in [Education Week](#), Virginia has approved a number of education bills which, State officials say, will benefit at-risk and disadvantaged students and give the State a better chance of winning money under the Federal Race to the Top competition. One measure would allow the State Department of Education to help potential charter school providers with their applications, although final approval of the schools will remain with local school districts. This bill has been sharply criticized by some Democrats who argue that the charter schools will be able to "cherry pick" the best students. Another bill requires the State to develop policies for approving and monitoring online education providers. And a third piece of legislation establishes publicly funded laboratory schools operated by State universities.

A recent policy letter from the U.S. Department of Education ended Virginia's practice of inflating school scores using proxy percents instead of alternative tests for special education students. Virginia's version of such a test -- the Virginia Modified Achievement Standards Test (VMAST) will be field tested this year for eighth-graders; however, implementation is not planned because of lack of funding. According to [HamptonRoads.com](#), a number of schools in the Virginia Beach school district could miss making academic performance standards because of the new Federal rule. Six Virginia Beach high schools and five middle schools are at risk of losing passing status under the new rule. The district's elementary schools are likely to be

unaffected because they usually have too few special education students for pass rates to be calculated.

Virginia will receive \$59.8 million under the Federal School Improvement Grant (SIG) program to turn around its persistently lowest achieving schools. The SEA will determine each LEA's capacity to serve all Tier I schools based on such factors as:

- adequate funding to serve all eligible Tier I and Tier II schools.
- the steps taken by the LEA to secure the support of the local school board for the selected reform model;
- the steps taken to secure the support of parents for the selected reform model; and
- the steps taken to secure assistance from other entities to ensure sufficient capacity.

The SEA will evaluate each LEAs progress toward its annual goals using the customized web-based school-improvement tool, Indistar, designed by USED's Center for Innovation and Improvement. LEA grantees will enter their annual student achievement goals into Indistar. SEA staff and contractors will work with LEAs on a regular basis to review progress and make adjustments. LEA grantees will also participate in a series of webinars to help ensure that LEAs are making progress toward their goals and making necessary adjustments in program delivery, resource allocation, professional development, etc. Virginia's SIG application is available at: <http://www2.ed.gov/programs/sif/summary/vaapp.pdf>

According to Inside Higher Ed, the Virginia Community College System is in the process of redesigning its English, reading, and math developmental (remedial) education programs. It expects to have an institution tracking system in place by July and eventually to develop "mechanisms and methodologies to hold colleges accountable for the success of developmental education."

Washington Update

April 2010

The Seattle Times reports that Washington Governor Christine Gregoire has signed a package of education measures including a plan to enhance the State's chances of getting funded under the Federal Race to the Top competition. One of the bills revises the way principals and teachers are evaluated, changes automatic tenure rights from two to three years, and allows non-profit organizations to certify teachers. A second bill overhauls the school financing structure which will increase State funding of K-12 schools (currently at \$13.5 billion for each biennium). This bill also phases in smaller K-3 classes by 2015-16. The third education bill creates a voluntary early learning program for three- and four-year-olds this September with phased-in Statewide implementation complete by 2018-19.

West Virginia Update

April 2010

As reported on WSAZ-TV, West Virginia is proposing a 28-point plan -- known as "It's All About the Kids" -- to transform education in the State and, it is hoped, to enhance West Virginia's chances of being funded in Round 2 of the Federal Race to the Top competition. Among the initiatives included in the plan are: development of a digital portfolio accessible by students, parents, and teachers; performance pay to reward students for academic success or good behavior; salary incentives for teachers; and expansion of the State's Global 21 program for K-12 students.

The Charleston Daily Mail reports that Governor Joe Manchin is expected to convene a special legislative session in May to consider such options as "Charter Innovation Zones 2.0," an extension of the 2009 Schools Innovation Zone Act in which 19 schools or groups of schools now participate. The proposed measure would allow schools to request exemptions from State and local rules and policies, similar to charter schools. Other proposals being considered are a teacher performance monitoring system based, in part, on student performance, incentive-based pay for teachers, and allowing the State to remove ineffective principals.

Wisconsin Update

April 2010

In its application under Round 1 of the Federal Race to the Top competition, Wisconsin earned poor marks for its lack of a strong plan to turn around low-performing schools. The Milwaukee Journal Sentinel reports that the State legislature is considering an amended education reform bill that would, in the words of Governor Jim Doyle, “dramatically strengthen” Wisconsin’s ability to address struggling schools. The pending measure gives the State superintendent the authority to:

- order local districts in need of improvement to implement a State-outlined curriculum, use student performance data to inform instruction, and utilize early interventions and additional learning time to help struggling students;
- order districts that have schools in the lowest five percent to take such aggressive actions as changing principal placement practices and establishing programs to help principals and teachers improve; and
- undertake even more aggressive approaches for school districts that have been identified as in need of improvement for four or five years in a row.

All Wisconsin schools in the bottom five percent are located in the Milwaukee school district.

Wyoming Update

April 2010

Wyoming was one of 48 states that supported the development of Common Core Standards by the National Governors Association and the Council of Chief State School Officers. The Casper Star-Tribune reports that Wyoming is now considering adoption of these Core Standards. In 2008, the State established standards for language arts, math, science, social studies, foreign language, health, physical education, fine/performing arts, and career/technical education. But there is no State curriculum; how to teach each subject is decided at the district or school level. During April, the State has conducted an online survey of teachers and administrators seeking comment on the national standards. In May, the language arts and math committees will meet in hopes of having standards in those two subjects in place before the Fall of 2011.