

Enclosed is the final draft of an article that should appear in the May THE Journal. Feel free to share with whomever in your company to reinforce several of our suggestions in recent TechMIS reports.

10 Technology Funding Sources in NCLB

There is Money for Technology, If You Know Where to Look

No Child Left Behind (NCLB) reflects conservative goals, namely accountability and parent choice, to be met through liberal means: increased salaries and financial incentives for teachers, reduced class size, and targeting of funds on high-poverty schools and districts. While instructional technology use is mentioned and even encouraged in numerous provisions in the law, it is not a priority within the U.S. Department of Education (DOE) regulations regarding implementation of NCLB, issued over the last year.

Under Title II D, Technology Enhancements, 50% of funds are available through the state discretionary component and 50% are provided to districts under a formula basis (see one state's story on how they distributing the funds, page xx). However, there are two problems with this fund. Number #1: two years ago before NCLB was passed, the Administration promised education technology advocates that if they supported converting the federal competitive grant program Technology Literacy Challenge (TLC) funds, to a block grant, it would ask for an additional \$130 million, to a total of \$1 billion. However, when the appropriations for FY 2002 were finalized, the total amount was slightly less than \$700 million, which is about \$166 million less than the funding for technology in the previous FYI 2001 year.

Problem #2: DOE regulations dated May 22, 2002, "encourage" districts to transfer up to 50% of the formula portion of the funds to other activities. While the *law* stipulates that states have to report annually on how many students at the eighth-grade level have achieved technology-literacy proficiency, how many teachers have been trained to use technology, or how many students have access to the Internet in the classroom, the *May 22 regulations* do not require such reporting. The problem this poses to technology advocates can be summed up in seven words: *What doesn't get reported, doesn't get done*. If states don't have to report on how much progress is being made in meeting some of the technology indicators, then Congress may not want to continue providing funding for such programs for which progress is not being measured.

In the meantime, however, it is almost impossible to implement many of the important provisions of NCLB without relying on technology. District technology decision-makers, who are faced with both shrinking budgets and pressure to find technology-based solutions to help their districts meet some of NCLB requirements, find themselves having to play magician's tricks, pulling funding out of hats they don't even have.

In fact, there *are* hat tricks, opportunities, if you will, for both using and funding technology through different programs and requirements mandated by NCLB. You just have know where to look. Below we discuss 10 such areas where districts can use technology to meet the requirements of NCLB *and* use NCLB to fund the purchase of the technology to meet the requirements.

1. Improving student achievement in math and/or reading. Technology-based instructional solutions that have proven to be effective in improving student achievement in math and/or reading will be in high demand as a result of NCLB. A year-old full report by Dr. James Kulick for the National Science Foundation (which has yet to release it), includes a meta-analysis of 36

“controlled evaluations” and has found that integrated learning systems (ILS) have produced not only statistically-significant academic increases compared to controlled groups, but the “effect size” is educationally meaningful in math and science, with mixed results in reading. (See NSF 03-301 November 2002 Info Brief titled, “School Mathematics and Science Programs Benefit From Instructional Technology.”) This kind of study should meet the definition of “scientifically-based research,” and help districts purchase these kinds of comprehensive instructional systems.

2. Aligning to state assessments and standards. A recent DOE finding revealed that fifth-grade reading achievement levels increased when lessons and materials were aligned with state standards and assessments, and when teachers actually covered the material. The need to align standards to curriculum and instruction is throughout NCLB. Opportunities for technology-based alignment and teacher monitoring tools are significant—this is not a task that can be done on paper. There is a particular need to align state standards to the “alternative assessments” that several states have developed (and others are in the process of doing) for some special education and limited English proficient students. In addition, the December 2002 Final Title I Regulations do not allow states to count as high school graduates those students who passed the GED, because the GED is not “aligned” with state standards. A tool that would assist in developing additional items to fill in the alignment “gaps,” however, might qualify as a valid alternative assessment.

3. Diagnosis, prescription, and intervention. Throughout Title I (and particularly the Reading First component), the requirement for individual student diagnosis, prescription, and placement in intervention strategies is creating a great demand for instructional management systems. Federal funds may be spent not only on the systems but also on teacher training on how to use them. In the final draft of the Reading First official guidance from the DOE, instructional management system training was clearly labeled as “allowable,” even though in the first draft it was not.

In addition, distance learning and online instruction that provides remediation and instructional intervention strategies will be critical in implementing some of the supplemental service provisions in rural school districts and Indian schools that have identified for improvement for having failed the state Adequate Yearly Progress (AYP) criteria for three consecutive years. While the law refers to tutoring by groups in “close proximity to failing schools” as one alternative, the Conference Report and subsequent DOE guidance on supplemental services and Title Regulations explicitly state that online instruction is not only allowable but might be the only possible alternative in certain situations for rural and Indian schools.

4. Accommodating special needs assessments. Over time the use of computer-based testing will necessarily increase for a number of reasons. The first is that these systems can be designed to incorporate all the requirements for data reporting. Second, and equally important, computer-based testing can facilitate “reasonable accommodation” in assessments for certain groups of special education students and English language learners as required in IDEA and now in NCLB. Disability rights advocates, such as the Disability Rights Advocate group (whose class-action lawsuit is largely responsible for Web-based state assessment in Oregon), will pressure states to provide or allow such types of assessments. As an example: On January 27, Florida Secretary of

Education Jim Horne announced that Web-based assessment would be pilot tested in 2003-2004 and that “reasonable accommodations” must be provided for certain students for the administration of the FCAT in March 2003.

5. Data tracking, reporting, and data warehousing. In the past, using Title I funds to purchase administrative types of applications was prohibited in some states and certainly discouraged at the Federal level. Under NCLB, however, much of the funds allocated to technology during the initial stages of implementation will likely be for administrative tracking, reporting, and data warehousing activities. According to recent QED survey, over 50% of respondents indicated purchasing software in these and related areas during the last school year (see *My Database Will Call Your Database, But Can They Talk?*, page xx).

6. Mitigating against unintended consequences of AYP. One important use of data tracking systems may be best described as a “cover your back” application. At this time, certain interpretations of the AYP regulation are causing unintended negative consequences, which a tactical use of technology might mitigate against. For instance, according to current interpretations of the legislation, test scores of limited English proficiency (LEP) and special education students who move on or “graduate” from their programs are not reported as a part of their subgroup. With those successful students’ scores missing from the subgroup’s AYP reports, districts end up submitting a misleadingly negative picture of the actual progress that was made in those subgroups, making it next to impossible to narrow the achievement gap that the law requires. Districts can defend themselves against charges of a lack of progress by using a student data information system that, in essence, keeps two sets of books—one for what the current interpretation of the law allows as reportable and one that reflects the actual achievement of students in their subgroups. In the process, they may help move the interpretation of the regulation toward something that is a fairer picture of real student progress.

The same dual bookkeeping tactic can be used for states or districts that use computer-adaptive testing (assessing students with instruments closely aligned with their achievement level rather than enrolled grade level), which has been ruled by the DOE as violating the law. As a result of this ruling, when a subgroup of student scores includes gifted and talented students, the actual scores for grade-level assessments will likely be less than reality because of “ceilings” on the norm-referenced and criterion referenced tests used for state assessments. A database of both sets of test scores could be extremely helpful when states want to demonstrate benchmarks that reflect real improvement. The state of Oregon, which uses computer-adaptive tests, has already proposed to use a “dual accountability” reporting system.

7. School/parent communication. The demand for school/parent communications systems is being generated by over 40 provisions in NCLB that mandate parent notification and other reporting requirements related to, for example, individual student report cards, school report cards, and negotiations of agreements with third party supplemental service providers. Most schools do not have adequate communications systems in place and technology—such as email, Web sites, and telephone-based messaging services—certainly is a necessary component of any such system.

8. Paraprofessional training and state teacher certification. Two training areas in which technology will increasingly play a critical role are: (a) training and certification of newly hired aides and the approximately 400,000 existing paraprofessionals who do not meet NCLB “highly-qualified” requirements; and (b) providing online staff development for individuals who are in the process of achieving state teacher certification through alternative routes. Alternative certification candidates can be employed before certification only if they participate in ongoing, sustained professional development leading to their certification in the subject area in which they are providing instruction. The Internet can be invaluable in offering information, mentoring, and support to these disparately located individuals. Maryland, for instance, has recently adopted an online system to support alternative certification.

9. Leveraging, tracking, and reporting “flexible” transfer of funds. Under NCLB, up to 50% of funds in any title (with the exception of Title I and 21st Century Community Learning Centers), may be transferred into other programs. While this provision offers increased flexibility at the district level in terms of reallocating funds to high-need areas, the transfer of such funds must be tracked and reported to the states in a similar manner. This would be very difficult to do without a technology-based system. Under parent choice options and supplemental services, for instance, transfer of students can be an enormous headache without the use of technology-based tracking systems.

In addition, NCLB implementation creates a demand for certain types of technology applications in formula programs such as Title I. While Title I has a \$2 billion increase for this school year, we estimate that an additional billion dollars will be transferred from programs such as Title IIa Teacher Quality, and Title IV, Drug Free Communities into Title I, in many cases to create or expand Title I schoolwide programs. By transferring such funds into schoolwide programs (which do not have to report how they are spent), a critical mass of funding could be used to purchase comprehensive technology-based solutions that can serve all students in such schools.

10. Leveraging IDEA. IDEA funds (which have increased much more dramatically than Title I in the recent past and will continue to do so in the future) can be used to purchase certain types of technology applications that also can serve non-special education students under certain conditions. For example, a principal could decide to use IDEA funds to license network software to be used in a lab or classroom by special and non-special education students. Under Incidental Use Provision Section 613 of IDEA, programs that are purchased using IDEA funds can be used by non-special education students if: (a) the cost is the same regardless of the number of students who use the software; (b) no special education student is denied access to the instructional program; and (c) wear and tear costs are about the same regardless of the number of students using the software. Hence, if software were priced on a schoolwide license basis (and not on a per-pupil license basis) IDEA funds could purchase and use the software in the above manner.

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