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MEMORANDUM

DATE: September 2, 2009
TO: TechMIS Subscribers
FROM: Charles Blaschke and Blair Curry
SUBJ: School Improvement Grant Draft Guidance; Use of Stimulus Funds;
Waiver Request Opportunities; and State Profile Updates

Earlier this month we sent two Special Reports:

- Final USED Title I district allocations and maximum per-pupil expenditures for SES for selected districts which could provide opportunities for firms with different products and services depending on whether or not SEAs or LEAs request waivers regarding SES.
- A Stimulus Funding Alert based on discussions with Title I state directors who indicated that the 4% SES set-aside for school improvement is being allocated to lowest-performing districts/schools now because major funding under School Improvement Grants will be delayed until February; firms should approach potential SIG grantees now to get their foot in the door.

In this TechMIS issue, we include a Stimulus Funding Alert based on our analysis of the draft regulations published on August 26th for School Improvement Grants. In addition to providing opportunities for comments over the next 30 days, firms should develop strategies on how they will approach districts and position products/services to take advantage of funding opportunities under the “turnaround” and “transformation” intervention model approaches which most districts will prefer -- if allowed under final guidance.

The Washington Updates include:

- **Page 1**
An August survey by AASA which found that most of the initial stimulus funding is being used to backfill budget holes; however, some existing stimulus funding is being used for professional development and purchasing classroom technology equipment, materials, and software; proportionately more of the second half of Title I, IDEA, and even Stabilization Funds will likely be spent on these products and services.

- **Page 2**
USED plans to allocate more administrative funds to SEAs to meet increased ARRA data collection requirements which will provide incentives for states to request waivers for most allowable areas, such as excluding the Title I stimulus portion from calculating the 20 percent SES allocation creating different types of opportunities.
- **Page 5**
A new report from the Campaign for Education Equity estimates that more than half the states are likely to have some remaining funds after restoration of state education cuts through the use of Stabilization Funds; in the states who reported “remaining funds,” districts will receive allocations in proportion to their share of state Title I funds which can be used in a flexible manner creating opportunities for firms with products that do not easily fit under IDEA or Title I.
- **Page 6**
In a recent speech, Secretary Duncan outlined the priorities and framework for allocating competitive funds under the Fund for Innovation, indicating that guidance will be published this fall.
- **Page 7**
Included in this TechMIS are several miscellaneous items including:
 - A lobbying effort by Civil Rights groups to allow states impacted by hurricanes Katrina and Rita to be allowed flexibility in the use of 2010 Census data collection to ensure evacuees to other locations who are planning to return are counted as residents of Louisiana, Mississippi, and/or Texas as appropriate. In Louisiana, the difference could range from \$15 million in Federal education aid without the flexibility to over \$100 million with such flexibility.
 - Reliable sources confirm that the Gates Foundation has provided \$250,000 each to 15 states to hire consultants to help them fill out applications for Race to the Top based on Gates’ prior working relationship with the 15 states and the Foundation’s belief that the states are on the “right path to reform.”
 - USED has awarded Upward Bound grants of \$250,000 each to seven colleges to help veterans develop academic and other skills.

As more and more of the Stabilization Funds are allocated to states -- which, in October, will also be receiving the largest portions of regular Title I and IDEA allocations -- state interpretations of USED policy and guidance, requests for certain waivers, and proposed state activities for Race to the Top and School Improvement Grants will become more important. We intend to increase our efforts in monitoring developments among the states some of which will be included in State Profile Updates. TechMIS subscribers are encouraged to contact Charles Blaschke by telephone to discuss additional information and possible “insights” to help subscribers. The topics addressed in many of the states included in the State Profile

Updates include state budgeting issues, Federal stimulus funding, Race to the Top readiness, charter schools, and state standards.

**Stimulus Funding Alert:
Proposed School Improvement Grant Regulations Would Define
Criteria to be Used in Selecting Schools to Receive Three-Year
Grants of \$1 Million or More to Turn Around Lowest-Performing
Schools -- Including Non-Title I High Schools and Feeder
Schools -- Using One of Four Interventions, Two of Which Offer
Greatest Opportunities for Most TechMIS Subscribers**

A Technology Monitoring and Information Service (TechMIS)
SPECIAL STIMULUS FUNDING ALERT

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September 2, 2009

On August 26, over a month later than expected, USED published a notice of proposed requirements for School Improvement Grants (SIG), totaling more than \$3.5 billion (combined regular part G and ARRA portions). Among other things, the requirements “would define the criteria that a State educational agency (SEA) must use to award school improvement funds to local educational agencies (LEAs) with the lowest-achieving Title I schools that demonstrate the greatest need for funds and the strongest commitment to use those funds to provide adequate resources to their lowest-achieving Title I schools in order to raise substantially the achievement of the students attending those schools.” The criteria, which are highlighted below, include required and allowable/permissive uses of funds for components of each of the required intervention models. These are very similar to those which we anticipated in several recent reports, including our analysis of Race to the Top Guidance (July 24th) and the August 5th Stimulus Funding Alert advising subscribers to approach likely grantees now in order to get their foot in the door. Under the proposed regulations, SEAs would also have to give priority through a waiver process to LEAs that wish to serve middle schools or high schools which are not receiving Title I funds, especially so-called lowest performing 2,000 “dropout factories,” and would require SEAs (and in turn LEAs) to award SIGs in sufficient amounts to allow target schools to implement one of four specific proposed interventions. The proposed regulations would also allow the Secretary to waive the period of availability of school improvement funds beyond September 30, 2011 to make funds available to LEAs for three years. With some exceptions, 95 percent of the SIG funds must be allocated to eligible LEAs who must apply for grants of between \$50-500,000 per year for each eligible Title I school if it meets the required criteria described below; each grant is renewable for two additional one-year periods if the LEA’s targeted schools are on track to meet student achievement goals.

Differing from initial non-regulatory guidance for SIG funds in November 2007, three tiers of schools are eligible (which are mostly determined by SEAs). Tier I schools are the lowest-achieving five percent of Title I schools in improvement, corrective action or restructuring in the state, or the five lowest-achieving such schools, whichever is greater. Tier II schools include low-achieving secondary schools (and feeder middle schools) which are Title I eligible but which receive no Title I funds. Tier III eligible schools are the remaining Title I schools in improvement, corrective action, or restructuring. While the SEA is required to differentiate between Tier I and Tier III schools in allocating funds and approving differentiated interventions, the notice states, “The Secretary believes that, in most cases, implementing these interventions (with the exception of closing a school) would require annual amounts that considerably exceed \$500,000 per school, the maximum amount per year of school improvement funds that may be generated by a participating school under the statute.” As a result, LEAs are encouraged to request \$500,000 for each Tier I and Tier III school (Tier II middle and high schools do not generate any regular Title I funding) and then allow the LEA to determine how much should be allocated to Tier I schools to implement one of the required interventions. The notice footnotes a report from The Mass Insight Education and Research Institute, cited in several previous TechMIS [Washington Updates](#), that estimated the cost of turning around a persistently low-achieving school of 500 students to range from \$250,000 to \$1 million per year for at least three years and implementation of a larger school would likely cost more. The SEA is required to request at least \$500,000 for each Tier I school. Tier I schools are the same schools that are to be targeted to receive even more funds in grants to states selected for Race to the Top funds.

As we reported in our recent analysis of the Race to the Top guidance regarding the “fourth assurance” of turning around lowest-performing schools, there are four interventions from which an LEA can select one for an eligible targeted school. These include the “turnaround model,” the “restart model” (in which a school is closed and reopens under a charter school or other management structure), “school closure,” and the so-called “transformation model” which an earlier draft was referred to as a “comprehensive intervention model.” It is very likely that the greatest opportunities for most TechMIS subscribers are in LEAs/schools that adopt the “turnaround” or “transformation” models. For these two models, we have identified both the “prescriptive/required” activities as well as “permissible” uses of funds.

Under the “transformation” model, there are a number of strategy requirements and permissive uses of funds which could create opportunities for firms with appropriate products and services. Under the development of teacher and school leader effectiveness, one required activity is that the LEA must use “evaluations that are based in significant measure on student growth to improve teachers and school leaders’ performance.” Others include rewarding school staff that improve student outcomes and provide ongoing, high-quality job-embedded professional development and training in differentiated instruction that is aligned with the schools’ comprehensive instructional program. One permissible activity is to institute a system for measuring changes in instructional practices resulting from professional development. One required activity under “comprehensive instructional reform strategies” is that the LEA must use “data to

identify and implement comprehensive research-based instructional programs that are vertically aligned from one grade to the next as well as aligned with State academic standards”; and promote “the continuous use of individualized student data (such as from formative, interim, and summative assessments) to inform and differentiate instruction to meet the needs of individual students. Permissive activities here are the use of a quality control system to ensure that curriculum and related interventions are implemented with fidelity and implementing a “response-to-intervention” model schoolwide.

Permissive activities at the middle and high school level include increasing rigor by enrolling students in advanced coursework such as Advanced Placement, International Baccalaureate, dual enrollment, and thematic learning academies, as well as providing appropriate supports so students can take advantage of programs and coursework. Credit recovery in improving student transition from middle to high school through summer transition or freshmen academies is also allowed.

Required activities under “extending learning time and creating community-oriented schools” include: providing more time for teachers to collaborate; more time for students to participate in such enrichment activities as financial literacy and service-learning opportunities; and mechanisms for family and community engagement. Several permissible activities under this strategy include: implementing approaches to improve school climate and discipline, such as implementing a system of positive behavioral supports; taking steps to eliminate bullying and student harassment; and partnering with local health and social government agencies and related activities to create community-oriented schools. As noted in our Race to the Top guidance analysis (July 24th), targeted schools must be provided “operational flexibility” and “sustained support.” Flexibilities include: staff hiring, calendars, schedules, budgeting, and provision of intensive technical assistance or related support which could be provided by external “lead partners” such as school turnaround organizations or an EMO.

Opportunities could also exist for firms in eligible schools in which the district implements a turnaround model in which one required activity is “implementing a new or revised instructional program” along with providing “ongoing, high-quality job-embedded professional development” to ensure staff are equipped to facilitate effective teaching and learning. Another requirement, which is identical to a requirement in the transformation model, is “promoting the continuous use of student data to inform and differentiate instruction to meet the needs of individual students.” This model also requires providing “appropriate social-emotional and community-oriented services and supports for students,” similar to the requirement in the transformation model.

As the proposed regulations state, LEAs must not only select one of the four interventions, but must also demonstrate its “commitment and capacity” to conduct its implementation effectively with fidelity in targeted schools. SEAs can add additional criteria to assess an LEA’s capacity and commitment. Some of the areas in which LEAs can demonstrate commitment included in the proposed regulations are: the quality of analysis of school needs and the matching of interventions to those needs; selection of external providers to ensure quality interventions that are embedded in a long-term plan

to sustain gains; modification of practices to implement interventions fully; and the degree to which reforms can be sustained after the funding period ends. The proposed regulations also note that the SEA may approve, in certain districts with limited capacity, the funding of a small number of targeted schools to receive grants. The SEA may also require the LEA to include additional information in its application about how the LEA will allocate school improvement funds to the Tier I, Tier II, and Tier III schools it targets over the three-year period as well as three-year student achievement goals in reading, language arts, and mathematics for targeted schools.

In the justification for creating these regulations and estimating “burden,” the notice assumes that about 1,000 of the lowest performing schools will be funded for turnaround activities of which between 150-250 would be schools in small, mostly rural districts. Tier III schools will receive less funding per school.

The proposed regulations do provide SEAs with some discretion in terms of adding additional criteria for selecting districts for funding and allocating some of the five percent SEA set-aside or even some of the LEAs 95 percent (with district approval) to external partners (including intermediate education units) to provide turnaround expertise or technical assistance. In the past, most states have used School Improvement Grant funds to build state capacity through the use of support teams and other initiatives to foster school improvement in the lowest-performing schools. Some SEAs may have to change the level of support and technical assistance already being provided under last year’s School Improvement Grant funds or the four percent set-aside. Perhaps the most critical SEA responsibilities are:

- evaluating the capacity and commitment of LEAs to implement selected interventions effectively;
- determining whether the selected intervention is based on an assessment of the problems and challenges confronting targeted lowest-performing schools;
- determining what schools are classified under Tier I, Tier II, and Tier III within eligible districts;
- approving the LEA budget for how funds allocated to the district will be used and at what levels for the schools in the different tiers.

Several hours before the formal press conference at 1:45 EDT on August 26th, a day after a closed conference call between USED officials and state Title I directors, a USED statement noted some of the flexibilities that are allowed. The statement emphasized that districts should “choose a strategy that works best for each school. To ensure districts are choosing a variety of strategies, any district with nine or more schools in school improvement will not be allowed to use any single strategy in more than half of its schools.” Moreover, the SEA is allowed to award school improvement funds to a district “that has implemented, in whole or in part, one of the interventions proposed in a Tier I school in the last two years.” In addition, upon approval of a SEA waiver request to USED, the SEA could “permit a school that implements a turnaround or restart model to ‘start over,’ exiting school improvement and no longer needing to provide the public school choice option or supplemental educational services.”

On August 26, the day in which the SIG guidance was published in the Federal Register, Secretary Duncan and a key high-level staffer (Ann Whelan) who worked with Secretary Duncan in Chicago Public Schools answered a number of questions, posed by reporters, which clarified several aspects of the draft SIG requirements. In response to a question as to whether a principal had to be replaced in a Tier I or Tier II school under the turnaround or transformation model, Secretary Duncan stated that a new principal brought into such a school within the last two years to turn around the school would not have to be replaced. He also clarified a misconception which arose during the teleconference with state Title I directors 24 hours earlier as to whether individual schools had to apply directly to the state. He stated clearly that “the application comes from the LEA to the state.” He did not respond to a related question as to whether a district could force a Tier I school, identified by the SEA, to participate in either a turnaround or transformation initiative.

He emphasized that under the transformation model, one minimal requirement is that the district “replace school leaders and develop ways to reward teachers and leaders based on their effectiveness” which he reaffirmed later in response to another question. Ann Whelan also clarified that only Tier I and Tier II schools would be required to select one of the four models; Tier III schools would have to meet criteria developed by the SEA which could be less rigorous and prescriptive.

The Secretary also confirmed that the district application should assume a budget and plan for three years and that “more funding will come in future years” to support the school improvement initiative. While he was not confident that the Administration would get the entire \$1.5 billion requested in the President’s budget for FY 2010 for school improvement, he reemphasized that “more funds” would become available to increase the number of schools targeted for turnaround activities, up to his goal of 5,000 schools over the next several years.

In response to a question about the implementation schedule, the Secretary stated that, during the initial nine months, both SEAs and LEAs need to conduct numerous planning activities such as identifying Tier I and Tier II schools’ causes of failure, removing barriers to reform, identifying partners to participate, recruiting and training principals and other key staff, and other activities which need to occur prior to district implementation beginning in Fall 2010.

When asked whether the school improvement strategy is essentially an urban initiative, Duncan indicated that it also includes rural and suburban districts, noting that about 50 percent of the lowest-performing 5,000 schools are in urban areas, 30 percent in rural areas, and 20 percent in suburban areas. In response to a question of how this initiative relates to the NCLB reauthorization, he indicated that, under NCLB, the effort to turn around schools in restructuring focused on “marginal efforts,” while this initiative calls for “dramatic changes.” The Secretary also emphasized that all of the four models are being used in isolated cases across the country and have proven to be effective. He suggested turning around the lowest-performing schools should become an education policy norm and “new business” which would be an important pillar in the

Administration's reauthorization proposal. Based on Secretary Duncan's comments and answers to questions, one can certainly infer that turning around the lowest-performing schools is this Administration's current number one priority. If anyone has questions regarding appropriate "comments" to be submitted by September 25 or "product/services" fits, call Charles Blaschke (703-536-2310).

Washington Update

Vol. 14, No. 9, September 2, 2009

While Two-Thirds of Superintendents Report ARRA Stimulus Funds Are Being Used to Backfill Budget Holes, Outside of “Shoring of Staff” Stimulus Title I and IDEA Funds Are Being Used for Professional Development, Classroom Technology, Classroom Equipment/Supplies/Materials and Software

A survey conducted in August by AASA, completed by 160 school administrators of which 63 percent were in rural districts, about four-fifths reported that they had received ARRA Title I and IDEA funds or expected to “real soon,” and two-thirds reported using the stimulus funds to backfill budget holes. AASA also reported “outside of shoring up staff, school districts are investing their ARRA funds in one-time costs.” When asked how they are using or planning to use ARRA Title I funds, respondents reported the same five uses for their Title I and IDEA stimulus dollars:

- professional development (63 percent Title I/68 percent IDEA)
- saving personnel positions (58 percent/61 percent)
- classroom technology (53 percent/54 percent)
- classroom equipment/supplies/materials (38 percent/41 percent) and
- software (35 percent/37 percent)

District respondents reported a greater variety of the uses of State Fiscal Stabilization ARRA Funds (SFSF) and, as

expected, saving personnel positions was cited by 52 percent; other cited uses were professional development (28 percent); classroom technology (23 percent); classroom equipment/supplies (17 percent), while about 10 percent of respondents reported SFSF funds were used for purchasing software, computers, and even textbooks. About a third of the respondents reported that ARRA funds “do not represent enough funding for new innovations/reforms” while another third reported innovation/reform from ARRA funds was limited. Five percent reported they have or will direct all ARRA funds toward “innovation and reform.”

As expected, an overwhelming majority of respondents reported that they had already received or anticipate receiving “very soon” Title I and IDEA ARRA funds. Three-fourths reported they had received some Title IID Education Technology Funds (E²T²) which most likely were formula funds, as only about ten states will likely use the option of providing all E²T² funds through competitive grants. About a third reported having received some School Improvement stimulus funding which was likely a portion of the state 4% set-aside or possibly unspent School Improvement Grant part (G) funding which was carried over from last year. As a leading proponent of local flexibility in the use of stimulus funding, the AASA concluded “this survey finds that while school systems around the nation appreciate the opportunity, the ARRA funding represents a lack of flexibility in the funding and the use of the money to backfill

Federal, state, and local budget holes have limited the ability of districts to implement innovative reforms and changes.”

In a discussion with the AASA policy analyst who prepared the report, she responded to our question as to whether or not there were different spending and other patterns when comparing the primarily rural administrators responses to those in the small number of urban districts, she indicated that the sample size was too small to make such generalizations. However, she indicated that a larger survey would be done in the next month and reported in October which should allow such comparisons. In a Washington Post article on August 23rd, Mike Casserly, Executive Director of the Council of the Great City Schools, which represents over 60 urban districts, noted that his member districts would likely have more money to use for reform and reported that the Council is “surveying urban districts on how they are using stimulus dollars.” Some likely innovations include curriculum reforms, new accountability systems, training for teachers of immigrant students, or pilot math programs tailored to African American boys.

The AASA report findings should be viewed with serious caution in that about a third of the stabilization funds have not yet been awarded to states and half of the stimulus funding for Title I and IDEA is scheduled to be allocated in September to states who have been able to submit reports on how initial stimulus funds were spent. Moreover, about two-thirds of the regular Title I and IDEA allocations will begin to be allocated to states after October 1st. One might reasonably expect that districts, which used most of the stabilization funds and IDEA funds to backfill budget holes as reported by

AASA, will likely use the remaining Title I and IDEA stimulus and regular funds to purchase more products and services that are typically used in Title I and IDEA programs, which should increase the percentage of these funds used for professional development, technology, materials and supplies. If anyone has any questions, call Charles Blaschke directly (703-536-2310).

For a copy of the report go to: http://www.aasa.org/uploadedFiles/Policy_and_Advocacy/files/AASASTimulusSurveyAug09.pdf

USED to Allocate State Education Agencies (SEAs) More Administrative Funds for Increased ARRA Data Collection Requirements Which Will Incentivize States to Request Waivers for Most Allowable Areas; For LEAs Which Take Advantage of Waiver Requests, Various Different Opportunities Would be Created

On August 17th, USED published in the Federal Register proposed adjustments to statutory caps on state administration set-asides which would provide SEAs more funds to implement data collection and reporting requirements under ARRA for Title I and IDEA. Additional funds would be allocated to SEAs which actually request waivers in a number of areas. LEAs can take advantage of these funds immediately after USED approves the SEA waivers. As the proposed notice states, “These funds can help defray the costs associated with Title I, part A ARRA data collection, including additional data collection costs that an SEA may incur in processing requests from LEAs that wish to benefit from the SEA’s waiver. These additional resources should also

provide the SEA with an incentive to use the process for obtaining waivers outlined in the Title I, part A Waiver Guidance.” Slightly over \$40 million could be provided to SEAs if all states applied for one or more waivers, more than ten states will each receive an additional \$1 million.

While many ARRA reporting requirements are new and go way beyond normal SEA data collection and reporting responsibilities, there may be opportunities for firms with such tools or reporting systems to work with individual SEAs in meeting these requirements. However, in terms of allowable use dollars and the implications and opportunities created at the district level are greater. While we identified several implications in our July 10th TechMIS Special Report, below we highlight some additional implications based on our recent survey of more than ten state Title I directors and further analysis of the administrative set-aside and other guidance issued over the last month.

In addition to providing additional funds for SEAs as an incentive to request waivers, the USED Guidance addressed in our July 10th report also includes an appendix which has a “fill-in-the-blanks” waiver request form in all of the allowable areas. During the July 23rd Washington, D.C. State Title I Directors conference, USED officials strongly encouraged SEAs to use the appropriate forms for requesting waivers. This will go a long way toward ensuring a greater degree of uniformity for SEAs requesting and then implementing approved waivers in very specific areas, such as excluding Title I ARRA funds from the 20 percent SES set-aside calculation. Under the Bush Administration, waivers were negotiated state-by-state which resulted in wide

variations among states implementing Title I in areas such as the “N” size for determining AYP and the use of alternative assessments for students with disabilities. Some of the implications and possible opportunities created, depending whether an LEA takes advantage of a USED-approved SEA waiver or whether a district independently applies for specific waivers, are highlighted below.

As we noted in our August 20th TechMIS Special Report and earlier analyses, if all SEAs and LEAs which have been identified for improvement seek waivers to exclude Title I stimulus funds under the 20 percent SES calculation, then approximately \$2 billion of Title I funds would be “freed up.” Our recent survey of state Title I directors suggests that virtually all SEAs will seek such waiver approvals. Most SEA officials reported that, if USED approval occurs, then all LEAs taking advantage of the opportunity would have to submit amendments to their applications for the 2009-10 school year, describing how the freed-up funds would be used. The fill-in-the-blanks waiver request form from the SEA must assure that the freed-up funds will be used for “effective methods and instructional strategies that are based on scientifically based research.” When asked, over half of the SEA officials stated that such funds would likely be used to serve students in greatest need and/or provide more intensive services in lowest-performing schools.

About four out of five SEA officials interviewed indicated they would be requesting waiver approval to allow districts and schools identified for improvement to submit proposals to operate their own SES programs. These state officials felt that most of the districts identified for

improvement would seek waivers to do so if the SEA waiver request is approved. One SEA reported that the feedback it had received from districts indicated no districts would be interested in operating their own SES programs. One SEA indicated that it would seek a waiver to allow districts identified for improvement to operate their own SES programs even if only one district was interested in doing so. In another state, no district had been identified for improvement thereby precluding the need for SEAs to request such a waiver for this coming school year. Several SEA officials volunteered that they would also be requesting a waiver to provide SES, along with a parent choice option, for schools identified for improvement for the first time and that freed-up money under the 20 percent set-aside would be used to provide these services.

From these discussions it would appear that a large portion of the potential \$2 billion will be freed-up upon USED approval of SEA requests; hence more districts will be allowed to operate their own SES programs and the number of students participating in SES programs will increase from 15 percent to 25 to 30 percent, or perhaps even higher in some states.

Virtually all SEA officials indicated that they would be requesting a waiver of the provision that prohibits an SEA from granting a waiver of the carryover limitation to an LEA more than once every three years. The ten SEAs that have EdFlex status, as noted in our July 10th TechMIS Special Report, already have such authority and need not apply for a waiver. To the extent that all other SEAs and LEAs take advantage of such a waiver, the purchasing cycle in Title I will likely be spread out over

a two-year period because Title I stimulus funds have through September 30, 2011 to be obligated. The Waiver Guidance notes that USED “believes that, ultimately, the requested waiver may help more schools and LEAs within the State make AYP by enabling them to direct their funds thoughtfully to activities that will help their students meet the AMOs set forth above.” The Guidance encourages LEAs to apply for waivers early in the 2009-10 school year justifying their request based on “prudent use” of such funds to improve student achievement; however, the Guidance also says such LEA requests should be granted only if the LEA “demonstrates that it has thoughtfully considered how it will spend its Title I, Part A ARRA funds over two years....” Even if an SEA does not request a waiver for all districts, an LEA can apply for a waiver of the carryover limitation. One likely implication is that the total amount of unspent set-aside funds for SES which can be reallocated for other purchases before June 30th will not increase much. On the other hand, that amount could increase greatly in districts which:

- do not exclude ARRA Title I funds from the 20 percent calculation;
- request a waiver of the requirement for 14 days notification to parents before school begins for SES availability;
- do not receive a waiver to be allowed to operate their own SES programs (in such cases, the amount of end-of-year spending of unused 20 percent set-aside funding could be great); and
- do not receive a waiver of the once every three years carryover limitation.

States Report That More Than Half of States Likely to Have Some Remaining Funds After Restoration of State Education Cuts Through Use of Stabilization Funds; Most of These States Will Likely Reallocate These Funds in Proportion to District's Share of Title I Funds; This Money Can Be Used in a Flexible Manner, Creating Opportunities for Firms With Products that Do Not Easily Fit Under Title I or IDEA

A new report from the "Campaign for Education Equity" identifies more than 25 states that are likely to have remaining funds after restoration through the Education Stabilization Fund (ESF) component of the State Fiscal Stabilization Fund (SFSF). These remaining funds will be allocated to districts in proportion to districts' share of state Title I funds. The findings in this report corroborate much of what we have previously reported in TechMIS State Profile Updates over the last several months, while providing some additional information that should be useful to TechMIS subscribers deciding which states to target. The findings are based on state SFSF applications and reports submitted by Governors before the July deadline and does not take into account finalization of FY 2010 budgets in five states and the additional shortfalls which occurred in July in 13 states; *therefore findings should be read with caution*. However, in the states identified below, districts which received large percentage increases in regular Title I funds, as identified in our April 29th report and also in our last TechMIS Washington Update, should be prime candidates to target.

As the Campaign's report found based on its

review of the states' SFSF applications, slightly over 30 states should have stabilization funds remaining after restoring state support for education in FY 2009 and FY 2010. Eighteen states plan to use all Education Stabilization Funds to restore K-12 and post-secondary education. In 42 states, more than 50 percent of stabilization funds will support K-12 education, with only six states using more than 50 percent to restore post-secondary education.

Indiana reported it will use more than a third of its remaining funds to restore state support for education in FY 2011 with about two-thirds being reallocated as subgrants to districts. Twenty-six states which will have remaining funds (after restoring to 2009 and 2010 levels) did not indicate exactly how such funds would be used. These states include: Alaska, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Montana, New Mexico, New York, North Carolina, Ohio, Oklahoma, Tennessee, Texas, Vermont, West Virginia, and Wyoming. Depending on budget shortfalls and gaps which could have occurred after submission of SFSF applications and finalization of budgets, most of these states will likely have some remaining funds that will be allocated to districts in proportion to their Title I allocations this year.

After restoration of state funds using ESF money, the following states are likely to have the largest percentages of SFSF funds remaining after 2010 which will be reallocated to districts: Alaska (100%), Arkansas (90%), Connecticut (39%), Delaware (39%), District of Columbia (74%), Kentucky (45%), Maryland (59%),

Mississippi (52%), Missouri (25%), Montana (55%), Nebraska (60%), New Hampshire (49%), New Mexico (35%), North Carolina (27%), Ohio (52%), Oklahoma (47%), South Dakota (32%), Tennessee (44%), Vermont (50%), West Virginia (85%), and Wyoming (88%).

A second component of SFSF is the Government Services Fund (GSF) over which Governors have broad discretion. Four states -- Hawaii, Minnesota, Connecticut, and Illinois -- are committed to using all of their GSF, totaling about \$8 billion, for education purposes. An additional 16 states plan to use a majority of their GSF for K-12 including: Colorado, Connecticut, District of Columbia, Hawaii, Idaho, Illinois, Massachusetts, Missouri, New Jersey, New York, Oklahoma, South Carolina, Tennessee, Texas, West Virginia, and Wisconsin.

Without doubt, as budget situations change so will the above amounts and percentages of SFSF funds remaining after restoration. For a copy of the report go to: www.equitycampaign.org/article.asp?t=d&i d=7123

Secretary Duncan Outlines the Context and Framework for Innovative Fund Competitive Grants and Yet-to-Be Published Formal Guidance

In a speech on August 20th entitled “From Compliance to Innovation,” Secretary Duncan provided the new context and framework for providing grants to districts, non-profits, and charter schools and other eligible organizations under the \$650 million Innovation Fund which has now

been renamed “Investing in Innovation (i³ Fund).” Noting that the USED has historically been an agency that “monitored compliance with Federal regulations” he emphasized, “I want the Department to become an engine of innovation, not a compliance machine. I want the Department to provide powerful incentives to states, districts, and non-profits to innovate but at the same time leave most of the creative thinking and entrepreneurship for achieving our goals in local hands.” Calling for the cultivation of a culture for innovation and building district-level systems to sustain a cycle of continuous improvement, i³ grants would be awarded to districts, non-profits, turnaround specialists, charter schools, companies, and other stakeholders in three general categories:

- pure innovation grants up to \$5 million to fund promising ideas that should be tried;
- strategic investment grants of up to roughly \$30 million for programs that “need to build a research base or organization capacity to succeed at a larger scale”; and
- What Works grants to be funded as high as \$50 million for proven programs that are “ready to grow and expand.”

USED will support proposals to advance the four reform areas central to other Recovery Act programs, including standards, data systems, teacher and principal quality and turnaround schools. Other Obama priorities such as improving early learning and college readiness, and better student services in rural districts would also be supported. Regarding the latter, the Secretary emphasized “Online courses, and online supplementation of course materials are

catching on fast, but we have only made limited investments in understanding which online instruction is most effective.” In several other speeches, he has suggested such online distance learning may be an appropriate intervention for rural schools which have to provide SES or the 150-250 expected rural schools in corrective action in such districts who will likely receive large amounts of School Improvement Grants funding (see related Special Funding Alert). Also noting that tools to empower teachers to improve instruction are available today, he pointed to teachers who now “use regular formative assessments to differentiate instruction and drive continuous improvement in the classroom, real time data and constant evaluation of student progress is taking even our best teachers’ craft to an entirely new level.” In addition to the \$650 million in the i³ fund, the Secretary encouraged the philanthropic community to provide additional funding to scale-up innovation. He also provided as examples numerous non-profit groups which have been in the “school turnaround business” for several years, and some of which worked in while he was superintendent in Chicago, including Mastery Charter Schools, Green Dot Public Schools, Academy for Urban Leadership, and Teach for America.

The Secretary indicated that the Department will publish in the Federal Register notice of proposed priorities for the i³ fund and which after a period of public comment will be followed by an application with awards expected in early 2010.

Miscellaneous

- Coalition of Civil Rights leaders approached Congress to allow Gulf Coast states which were damaged by Hurricanes Katrina and Rita several years ago more flexibility in reporting Census data during the next survey conducted April 1, 2010. The concern is that many of the individuals living in such places as Houston, Atlanta, and other cities where displaced persons moved to on a temporary basis may be returning back to portions of Louisiana, Mississippi, and Texas. The amount of Federal funds, depending on where an individual is located based on the Census counts, is about \$20,000. It affects, among other things, Title I and other Federal education allocations. While slightly over 300,000 people now live in New Orleans, almost 500,000 lived there before the storms, and many are thinking about returning. The FY 2010 budget proposal does not include a hold harmless provision for Louisiana and other districts impacted by the two hurricanes which means that the amount of Title I funds going to a district will be based on the FY 2010 Census and not the held harmless back to the 2004 Census. Within Louisiana alone could be the difference between \$15 and 100 million in Federal education aid.
- According to Fritzwire and confirmed by State Superintendent Grindon of Maine on an August 20th EdWeek seminar, the Gates Foundation will be providing up to

\$250,000 each to 15 states to hire consultants “to help them fill out their applications for Race to the Top.” Reportedly, consulting firms which are being considered are McKenzie and Company and the Bridgespan Group. The 15 states are: Arkansas, Arizona, Florida, Georgia, Kentucky, Louisiana, Massachusetts, Minnesota, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Tennessee, and Texas. According to Fritzwire “These states represent either those in which Gates has already invested or that the Foundation thinks are on the right path to reform. Word about Gates involvement in Race to the Top has been simmering for weeks now and it is not a secret to states getting the money -- but the Foundation still isn’t saying anything official.”

- USED has awarded Upward Bound grants of \$250,000 to seven colleges to help veterans develop academic and other skills to succeed to post-secondary education. Tutoring, mentoring, personal counseling, refresher courses, and related services will be provided. On August 1st, the new veterans GI Bill took effect. In addition to providing tuition for two million plus Iraq and Afghanistan veterans including National Guardsmen who served in these combat zones, the bill will

provide \$100 per month for 12 months for veterans who need tutoring or refresher courses. As we reported in a TechMIS Washington Update last August, most Veterans’ Affairs officials expect veterans to select colleges and tutoring services based on convenience, including their availability through online instruction. Indeed, additional new legislation has been introduced in Congress which would allow some of the stipends for on-site housing to be provided to veterans who receive most of or all of their instruction through distance learning while remaining at home or otherwise off-campus.

Firms with online distance learning products and/or services should seriously consider exploring possibilities in this niche market as well as the seven colleges receiving USED grants which are Henderson State University (Arkansas), the Appalla Community College (Prescott, Arizona), Georgia State University, Boise State University (Idaho), Suffolk University (Boston, Massachusetts), Binjimini State University (Minnesota), and Redlands Community College (Oklahoma).

Alabama Update

September 2009

The Birmingham News reports that 86 percent of Alabama's 1,376 public schools met State standards in reading and math -- a three percentage point improvement over last year. Five years ago, only 23 percent met State goals. Of the 186 schools that failed to meet all goals, 119 missed by only one goal. Moreover, only 122 schools have been identified for improvement, down from 137 last year; and there has been a 29 percent decrease in the number of high-poverty (Title I) schools identified for improvement. State officials attribute the improvement to the Alabama Reading Initiative; the Alabama Math, Science and Technology Initiative; the Alabama Connecting Classrooms, Educators and Students Statewide (ACCESS) distance learning program.

The Birmingham News also reports that, starting this Fall, all Alabama high schools will have the Alabama Connecting Classrooms, Educators and Students Statewide distance learning program. ACCESS provides online and interactive conferencing technology that offers courses - such as Advanced Placement classes -- that may not be available at all schools. Last year, 181 schools had ACCESS labs. Under the State's new First Choice program, all Alabama students are required to take at least one distance learning class during their high school years. First Choice places all entering high school freshmen in the advanced diploma (college) track which also calls for two foreign language classes and more math and science courses.

Arizona Update

September 2009

Since they were first created in 1994, more than 500 charter schools -- more than a quarter of all schools in the State -- have been created in Arizona. Regular district schools received a per-pupil average of \$9,721 in Federal, State, and local funding in 2007-08. Charter schools get only \$7,848 per student. A recent investigation by the [Arizona Daily Star](#) has found that oversight of charter schools is inconsistent and that appropriate information about the schools is not readily available to parents. Budget information submitted to the State is sparse and the 12 percent of the schools that are operated by for-profit firms do not have to file detailed Federal forms. Overall, in lower grades, charter school students perform slightly higher than their traditional public school counter parts. At the high school level, public school students outperform charter school students by 30 percentage points on the State assessment.

Arkansas Update

September 2009

The Arkansas News reports that the Arkansas School Recognition Program will distribute \$5.17 million this summer to schools that have shown significant academic gains. Created in 2003, the program tracks students' scores on benchmark exams and classifies schools accordingly.

Schools at Level 4 or 5 -- exceeding standards -- will receive \$100 per student tested during this, the first year awards are being made. Schools can use the money to award one-time bonuses to staff or to purchase educational materials.

California Update

September 2009

The Los Angeles Times reports that, in an effort to close its \$24 billion budget gap, California sharply reduced its spending for textbooks. New books for K-8 will not be approved until 2016 at the earliest and the requirement that school districts buy books within two years of adoption has been waived until 2013. Los Angeles, for example, has saved \$60 million by postponing textbook purchases. In addition, the State's traditional earmark for textbooks -- \$334 million this year -- can now be spent by districts for other things. In 2007, California school districts spend \$633 million for textbooks and typically 600-700 districts buy reading/literature texts; this year, only 200 districts did so.

As reported in The Sacramento Bee, California will have received more than \$100 million in Federal EdTech funding -- \$29 as its regular allocation and \$71.6 million in stimulus money. After taking out five percent for administration, the State will distribute the funds through two mechanisms. Half will be allocated to school districts in proportion to their Title I funding. The other half will be awarded through competitive grants. Application forms, made available in late August, are expected to encourage the inclusion of teacher training in the use of student data to improve instruction.

According to the San Francisco Chronicle, all students showed gains on the California Standards Test for the seventh year in a row. However, the State's persistent achievement gap between White or Asian students and their Black or Hispanic counterparts has changed little over the past seven years.

The San Francisco Chronicle also reports that a State Appeals Court has ruled that California is entitled to administer achievement tests and high school exit exams in English to all students -- including 1.6 million limited-English-proficient students. California students are tested annually in grades 2-11 and must pass the California High School Exit Exam (CAHSEE) to get a high school diploma.

As reported in the Los Angeles Times, California has had in place since 2006 a State law that bars the State from using student test scores to measure teacher performance. The law puts the State in apparent conflict with the Obama Administration's effort to get states to determine teacher quality more effectively. It could also make California ineligible for Federal Race to the Top grants for education reform and innovation.

Concerned that the State may be cut out of funding for the Federal Race to the Top, Governor Arnold Schwarzenegger has proposed major revisions in the State's education laws. First, he would eliminate the State law that prohibits linking student and teacher test score data. He wants the legislature to pass a bill that would:

- Link student and teacher performance data;
- Repeal the State's cap on the number of charter schools;
- Expand public school choice;
- Increase turnaround efforts at the lowest-performing schools;
- Provide additional pay for some teachers; and
- Change the way the State uses data to measure performance

The Los Angeles Daily News reports that if, as is possible, California will be unable to compete for Federal Race to the Top funds, the Los Angeles school district is hoping to compete for the grants on its own. The district has already cut more than \$1.3 billion from its budget over the next three years. It has also laid off more than 2,000 teachers and 2,800 other district staff.

As reported in the Los Angeles Times, Los Angeles Mayor Antonio Villaraigosa has proposed allowing outside organizations manage many of the City's schools. Under the plan -- which has been strongly criticized by the district's teachers union -- charter school operators and other groups would be able to bid for control of hundreds of struggling schools, as well as the 50 new schools scheduled to open in the next four years.

Colorado Update

September 2009

In August, Colorado education officials introduced the Colorado Growth Model -- a tool for analyzing student performance, including scores on the Colorado Student Assessment Program. The Growth Model, which cost more than \$1.8 million in public and private funds to develop, is considered by many to be the most sophisticated tool of its type in the country. According to The Denver Post, State officials hope the Growth Model will give Colorado an advantage when it comes to applying for a share of the \$4.35 billion Race to the Top money.

As reported in The Colorado Independent, Colorado is aggressively planning to go after a share of the Federal Race to the Top (RTTT) money. The State's four volunteer work groups began meeting in early August. The State believes it is in good position for RTTT funding because it: (1) has released a new data system that can track individual student progress; (2) has a State law for turning around struggling schools; and (3) is rewriting its standards and assessments to improve post-secondary and workplace readiness. However, a new report by the New Teacher Project rated Colorado only as "somewhat competitive" for RTTP funds. Another report, by the Piton Foundation set forth six recommendations on which the State should focus: (1) put the strongest teachers in low-income schools; (2) provide better support for new teachers; (3) develop teacher salary scales based on effectiveness, school setting, and demand for specific skills; (4) attract and retain STEM (science, technology, engineering, and math) teachers; (5) adopt an effective Statewide curriculum; and (6) connect student performance to teacher preparation programs.

The Colorado Independent also reports that the Colorado Department of Education has failed to exercise adequate oversight of the State's online charter schools. The Department's new Division of Online Learning has imposed stricter guidelines for the virtual schools, but has promised not to sanction the schools despite low performance on many of the 25 guideline criteria.

Connecticut Update

September 2009

The Hartford Courant reports that Connecticut plans to apply for Federal Race to the Top funding in December. If successful, the State plans to spend half of its grant on a four-year “urban initiative” consisting of a partnership with four to six urban school districts. The other half of the Race to the Top money would go to districts that volunteer to participate in secondary school and early childhood reform. The secondary reform would call for more rigorous graduation requirements such as a senior project and language arts and math labs. The preschool component would focus on literacy and socialization skills to prepare children for kindergarten.

Florida Update

September 2009

A number of Florida school district officials have expressed concern about the State's recently announced shift in graduation policy. In August, the State eliminated the "GED exit option" which allowed high school students to receive a standard diploma even though they did not have enough credits or high enough grades. They could still graduate with a standard diploma if they passed the GED and State exit exam or if they passed the GED and scored well on a college entrance exam (SAT or ACT). Critics of the GED option have argued that it allows districts to pad graduation rates. But others say that, without the option, many more students will simply drop out.

According to Education Week, the Broward County school district as a cost-cutting measure -- will use district administrators as substitute teachers. A total of 111 district administrative staff are certified to teach. It is estimated that the approach could save the district \$200,000.

Georgia Update

September 2009

A report from Georgia State University found that nearly half of Georgia's charter schools could be in financial difficulty. The State has a total of 113 charter schools most of which are converted public schools. In 1998, State law was changed to allow new charter school start-ups. The Georgia State study looked at the 25 charter schools that have opened since 2008. It suggests a chronic problem that could lead to school closings. Because a State audit said the State does not adequately monitor charter schools, a new division was created in the State Department of Education which requires charter schools to provide financial information before they can be approved.

Illinois Update

September 2009

The St. Louis Post-Dispatch reports that, even with the influx of Federal stimulus money, the overall increase in the Illinois' education budget will be only four percent -- a total of \$10.7 billion in Federal and State funds. The net four percent increase in Illinois is in contrast to the ten percent increase in neighboring Missouri. State education officials have expressed concern that, because Illinois has used stimulus funds to offset losses in State funding, it will be in a difficult position to maintain funding in the future.

Illinois Governor Pat Quinn has signed Senate Bill 612 that will increase -- from 60 to 120 -- the number of charter schools allowed to operate in the State. Of the 60 new charters, 45 are allocated to Chicago, 15 to downstate districts, and 15 for dropout recovery. Illinois becomes one of the first states to respond to President Obama's call to eliminate barriers to charter schools. This puts the State in good position to compete for Federal Race to the Top grants to support education reform and innovation.

Indiana Update

September 2009

Indiana Governor Mitch Daniels is planning to use \$31 million in Federal stimulus funding to establish a scholarship program for about 9,000 Indiana high school graduates wishing to go to two-year colleges. According to the Indiana Business Journal, the scholarships, known as Workforce Acceleration Grants, will provide \$6,000 over two years for unemployed workers or students from poor families toward an associate's degree or a vocational certificate. The scholarships can be used at more than 50 community colleges across the State, as well as at for-profit education programs.

School Reform News reports that Indiana's FY 2009-10 budget includes a \$2.5 million tax credit fund for scholarships that would allow eligible students to attend private schools. The program makes Indiana the eleventh state to provide voucher-like assistance to private school students. State officials estimate the program could save the State \$10 million because the amounts provided to voucher recipients is significantly lower than the per-pupil cost of public schools.

Kansas Update

September 2009

The Kansas City Star reports that State funding to Kansas public schools for the 2009-10 school year is down \$163 million from the original budget. As a result, school districts have had to cut a total of 3,700 positions, including 2,000 teachers and administrators. Some district officials are talking about such cost-saving measures as sharing curricula and consolidating purchasing. The Kansas Association of School Boards has warned that next year's State budget deficit could be \$530 million, necessitating further budget cuts.

According to Kansas State data, only 16 of the State's 295 school districts -- five percent -- failed to show improved scores on State reading and math exams -- last year there were 17 such districts. Similarly, five percent of the schools in the State failed to make adequate yearly progress (AYP) -- 32 compared with 33 last year. The 16 districts that missed AYP are: Coffeyville, Garden City, Goodland, Haysville, Iola, Kansas City, Leavenworth, Liberal Morris County, Mullinville, OHawa, Parsons, Peabody-Burns, Topeka, Ulysses, and Wichita.

As reported in The Wichita Eagle, the Federal Gear Up program will provide nearly \$3 million a year for up to seven years to Wichita State University to restart a Statewide tutoring and mentoring program for students from low-income families. Intended to increase the number of low-income students who succeed in higher education, the Gear Up grant requires a dollar-for-dollar match bringing the total to as much as \$42 million. Offering college tours, ACT/SAT preparation, and career workshops, Kansas Kids at Gear Up has served about 2,500 students a year from offices in Dodge City, Emporia, Garden City, Great Bend, Hutchinson, Kansas City, Pittsburg, Pratt, Salina Topeka, and Wichita.

Kentucky Update

September 2009

The Louisville Courier-Journal reports that, as of August 5, Kentucky's new education commissioner is Terry Holliday, formerly superintendent of the Iredell-Statesville school district in North Carolina. Among the new commissioner's responsibilities will be developing and implementing a new student testing system. He has also begun his own blog -- "Doc H's Blog" - which can be accessed at: <http://kyedcommissioner.blogspot.com>.

The Lexington Herald-Leader reports that test data for the Federal No Child Left Behind Act -- normally available in August each year -- will not be ready for the start of the new school year. Blaming the delay on bad weather, State education officials say that, because school scores will not be available, parents will not know at the beginning of school whether their children's school is classified as low-performing and, therefore, whether they have the option of transferring to another school. The State has asked the U.S. Department of Education for a waiver of the requirement that parents be notified about their school's NCLB status 14 days before schools open. In any event, it is likely that some transfers may occur well after the opening of school.

Based on this year's ACT scores, fewer than half of Kentucky's high school juniors are prepared for college-level work in English, algebra, and other subjects. According to the Lexington Herald-Leader, the State's ACT scores have changed little from last year (which was the first year all Kentucky public school juniors were required to take the ACT). Statewide, Kentucky students scored 17.3 in English, unchanged from 2008. Math scores improved slightly from 18.1 last year to 18.2. But reading and science scores dropped slightly.

The Louisville Courier-Journal also reports that Kentucky plans to apply for a share -- as much as \$200 million -- of the \$4.35 billion Federal Race to the Top fund. The State believes it is in good shape because it has scrapped the Commonwealth Accountability Testing System (CATS) in favor of new standards and exams scheduled for the 2011-12 school year. Kentucky has received a \$250,000 grant from the Bill and Melinda Gates Foundation to hire a consultant to

help prepare its Race to the Top application.

Louisiana Update

September 2009

The non-profit New Teacher Project has judged Louisiana and Florida as the only two states to be “highly competitive” for the \$4.35 billion Federal Race to the Top competition. Among the reform elements that will be important for Race to the Top is the availability of charter schools in the State. In June, the Louisiana legislature eliminated the State cap of 70 charter schools. The cap did not apply to charter schools affiliated with the Recovery School District of New Orleans.

As an outgrowth of the devastation of Hurricane Katrina, the New Orleans school district has developed an extensive system of charter schools. In fact, 60 percent of the City’s public school enrollment attend 52 charter schools (vs. 37 traditional schools). USA Today reports that district officials hope to increase the percentage to 75 percent in years to come. New Orleans performance score (a combination of test scores and other measures) on State evaluations increased to 66.4 last year compared with 56.9 four years ago (before Katrina). Over the same period, the Statewide average remained approximately the same at about 87.3.

Maine Update

September 2009

Data from the Maine Educational Assessment (MEA) indicate that nearly all Maine students in grades 3-8 showed improvement in their reading and math scores. The percentage of students meeting standards increased by as much as eight percentage points (fourth-grade reading). Only eighth-grade reading -- where scores were flat -- showed no improvement. This is the final year for the MEA, because Maine will join other New England states in the New England Common Assessment Program for writing and math, significantly reducing the State's testing costs.

State officials in Maine are contemplating ways to address the State's additional budget shortfalls which could run between \$60 million and \$100 million over FY 2010 and FY 2011.

Education Week reports that, despite the State's budget shortfalls, half of Maine's high schools have opted to participate in the State's program to provide a laptop computer to every student. Established in 2002, the Maine Learning Technology Initiative (MLTI) was designed to give a laptop to every seventh- and eighth-grader in the State. The planned expansion to the high school has been stalled by the State's financial difficulties. For the middle school MLTI, the State provided hardware, software, infrastructure, professional development, and technical support. Participating high schools will receive only wireless infrastructure support. Schools participating in the program will pay \$242 per laptop per year for four years.

Maryland Update

September 2009

In early August, Maryland Governor Martin O'Malley proposed a five-year, \$72 million plan by which: (1) all Maryland high school graduates would be prepared for college-level math and science; (2) State universities would triple their production of teachers in technical fields (over half of Maryland's new teachers are now imported from outside the State); and (3) there would be a 40 percent increase in the number of State university graduates in STEM (science, technology, engineering, and math) areas. Under the plan, according to the [Baltimore Sun](#), all Maryland high school graduates would have to take four years of math. In addition, State universities would develop incentives and support programs to encourage STEM teachers. And six centers would be created at State universities to translate research into entrepreneurship.

According to [The Examiner](#), twelve of the 38 middle schools in Montgomery County (suburban Washington, D.C.) failed to make adequate yearly progress (AYP) under the Federal No Child Left Behind Act. This compares with only five schools that missed AYP last year. Eight middle schools -- compared with four in 2008 -- missed AYP in math for special education students, for example. And in four schools, special education missed AYP in reading -- up from two the year before.

The Baltimore City school district has instituted three new "accelerator" schools designed to help high school students who are at least two years behind their peers. Enrolling 900 volunteer students this Fall, the accelerator schools are part of an effort to cut the district's dropout rate. The schools are being operated by outside organizations; Baltimore Community High School is being run by One Bright Ray, Inc. of Philadelphia and Baltimore Antioch Diploma Plus and Baltimore Liberation Diploma Plus are being run by Massachusetts-based Diploma Plus.

Massachusetts Update

September 2009

As we reported in an August State Profile Update, Massachusetts Governor Deval Patrick, in a change of tack, proposed doubling the number of charter schools in school districts with the lowest scores on the State assessment. Charter school advocates have proposed a ballot measure that would go even further by repealing the State-imposed cap of 120 charter schools and the restriction that charter school enrollment could be no more than the four percent of total Statewide public school enrollment. These limitations have resulted in charter school waiting lists of 23,000 students. If the ballot question meets legal criteria and gets sufficient signatures, it would go before the voters in the next Statewide election in November 2010.

A recent analysis by the Boston Globe has found that Massachusetts charter schools tend to enroll few special education students and English language learners. In Boston, for example, about 20 percent of the school system's students are English language learners (ELLs); less than four percent of the enrollment in the district's 16 charter schools (with one exception) are ELLs. Similarly, more than half the district's charter schools had special education enrollments at least six percentage points below the district's 21 percent enrollment of such students. The Governor's bill -- to be considered by the legislature in the Fall -- would require charter schools to set enrollment targets for at-risk students and develop recruitment/retention plans to meet the goals.

Two years ago, ten Massachusetts schools participated in the Expanded Learning Time Initiative which called for a lengthening of the school day in lower-performing school districts. Last year, according to the Boston Globe, the number grew to 22. The program, which is being used as a model for national legislation, adds at least 300 hours to the typical school year. Participating schools received an average of \$1,300 more per student in State funds. According to the State's annual report scores on the State assessment, scores in participating schools have risen but at least three schools have left the program largely because of funding problems.

The Boston school district is the subject of an investigation into the district's alleged failure to provide necessary language instruction to English language learners (ELLs). As reported in the Boston Globe, a routine State audit found that 42 percent of Boston's nearly 11,000 limited-English-proficient students were not receiving legally required services. Often, options were not adequately explained to parents or parents were encouraged, because programs were full, to decline services. District officials argue that the problem is not widespread because 80 percent of the affected ELLs are enrolled in only 28 of the district's 140 schools. Among the remedies the district is implementing -- using \$1 million in Federal stimulus money -- are hiring 28 new teachers for ELL instruction, redeploying appropriately certified teachers, and training more teachers to work with ELLs.

Michigan Update

September 2009

A recent survey of Michigan kindergarten teachers indicates that a third of the children coming into the State's kindergarten classes are unprepared; they do not recognize numbers or letters and lack appropriate social skills. Most attribute this lack of preparation to the fact that many kids have not attended preschool. As reported in the [Detroit Free Press](#), many educators are concerned that the problem would be exacerbated by the proposed elimination of the State's \$103 million Great Start Readiness Program which supports preschools Statewide. Early childhood experts hope the study will convince the legislature not to scrap the Great Start program.

According to the Michigan Department of Education, only 16 percent of the State's high school graduates are "college-ready" -- this is, they have a strong probability of scoring a "C" or better in their college courses. Most college freshmen will have to take remedial classes or be at risk of failure. The State's analysis shows that many small school districts have had fewer than ten percent of their students test as college-ready in all four academic areas -- English, algebra, biology, and social studies. Scores in urban areas are even worse; only 100 of 4,840 tested Detroit students (less than three percent) were college ready and, in Flint, only 16 of 830 tested students (less than two percent) scored as college-ready in all four core academic areas.

[Education Week](#) reports that the emergency financial manager of the beleaguered Detroit school system, Robert Bobb, has said that the four outside companies hired to design 17 of the City's low-performing high schools have a "proven track record" of raising student achievement. Others, including the Detroit teachers union, contend that the four firms -- EdisonLearning (6 schools), EdWorks (5), the Institute for Student Achievement (3), and the Model Secondary Schools Project (3) -- actually have not shown "tangible success." The district is looking at other providers to help redesign other low-performing schools.

Minnesota Update

September 2009

Education Week reports that nearly half (1,048 out of 2,114) Minnesota schools failed to make adequate yearly progress (AYP) under the Federal No Child Left Behind Act -- an increase of 12.5 percent over last year. The high number can be attributed in large part to the State's academic standards which are higher than many states. Of the schools that missed AYP, 487 were on the list because they missed for single AYP goals. Thirteen schools -- mostly in Minneapolis and St. Paul -- are currently facing restructuring sanctions.

The Star Tribune reports that the Minneapolis school district, under a new State law, is experimenting with the establishment of teacher-led schools that operate like charter schools, only within the control of the school district. Such schools would have a contract with the school board but otherwise be exempt from district rules concerning budget, staffing, scheduling, and curriculum. Unlike charter schools, State per-pupil funding would remain in the district and teachers would stay unionized. The concept is similar to autonomous schools created in New York, Boston, and Chicago and to recommendations made by the National Center on Education and the Economy and the Gates Foundation for NCLB reauthorization.

Mississippi Update

September 2009

The Jackson Clarion-Ledger reports that the Mississippi Department of Education is planning to expand its monitoring of elementary students to improve achievement in literacy and math. A computer-based program, the Children's Progress Academic Assessment, has begun monitoring progress for students in grades K-3. Starting this school year, the program will be available to 60 percent of the State's elementary schools and to all 490 elementary schools by the 2011-12 school year. The assessment program was designed by New York-based Children's Progress.

According to The Miami Herald, Mississippi public schools are testing a program that would teach the subject of civil rights in all grades. High schools in four school districts will participate in the pilot this coming school year. By 2010-11, the subject should be part of the curriculum in social studies courses at all grade levels.

Twelve school districts in Northeast Mississippi have received nearly \$30 million in no-interest loans for construction and renovation projects as part of the Federal stimulus program (i.e., QZAB funds). Among the planned projects are:

- upgrading classroom equipment at the Tupelo High School Fine Arts Center;
- new classrooms at North Pontotoc (\$3 million);
- classroom, support additions and equipment at Baldwin Middle School.

Missouri Update

September 2009

According to the St. Louis Post-Dispatch, \$1.3 billion in Federal stimulus money will mean an increase in Missouri's K-12 budget of \$600 million -- to almost \$6 billion. The St. Louis school district will get an increase of \$23 million in stimulus money and the St. Louis County Special School District (which serves students with disabilities) will get almost \$40 million.

According to The News Tribune, Missouri has decided to join the project to establish national standards in English and mathematics. Sponsored by the National Governors Association, the project is intended to develop more consistent nationwide academic standards.

The Springfield News-Leader reports that 14 Missouri school districts will receive a total of \$4 million in technology grants from the Federal stimulus program. Designed to improve instructional strategies and student achievement, the Federal funds are to be channeled through a State program called eMINTS (enhancing Missouri's Instructional Networked Teaching Strategies), adding new computers and technology to classrooms in the selected districts. Participating districts are: Arcadia Valley (\$200,000); Blue Springs (\$184,000); Cameron (\$398,000); Cassville (\$399,000); Columbia (\$200,000); Eldon (\$192,000); Ferguson-Florissant (\$184,000); Lebanon (\$307,000); Nixa (\$196,000); North Kansas City (\$397,000); Sedalia (\$400,000); Sikeston (\$399,000); and Wellston (\$184,000).

Nebraska Update

September 2009

In late August, Nebraska education officials released a number of proposed new education goals, according to Newsday. These include a more rigorous high school curriculum to be in place by the 2014-15 school year. The new core curriculum will require three years each of math, science, and social studies. Most Nebraska school districts already require the recommended number of such courses but the reform will require more rigorous and uniform classes in those subjects. Among the other goals are:

- eliminating the achievement gap between white and minority students;
- a 90 percent high school graduation rate (the most recently calculated rate -- for 2006 -- was 79);
- developing a new data system that will track student achievement from kindergarten to post-graduate work.

New Hampshire Update

September 2009

Even faced with a deficit of at least \$500 million, the New Hampshire legislature approved a budget for the 2010-11 biennium of \$967 million -- only a \$20 million decrease from the previous two years. The State will also receive \$160 million in Federal education stimulus money. State aid to school districts will continue at \$890 million over the two years under the State's new funding formula which now includes charter schools. The areas that will see the biggest cuts are State contributions to local teacher-retirement programs and catastrophic aid for students with severe disabilities.

New Hampshire's first online high school, the Virtual Learning Academy Charter School (VLACS) currently has 2,000 students signed up for nearly 50 courses taught by 100 teachers from all over New England. Courses offered by the VLACS -- which was established in May 2007 -- are free to New Hampshire students and are accepted by most school districts toward graduation. Most VLACS students are taking online classes to supplement their regular high school program, either to graduate earlier or to get courses not available at their regular school.

New Mexico Update

September 2009

Data from the State's education department indicate that only 31 percent of New Mexico schools made adequate yearly progress (AYP) under the Federal No Child Left Behind Act, down slightly from 32 percent in 2008. Moreover, only 54 percent of the Class of 2004's entering freshmen graduated from high school in four years; nationally, the graduation rate is about 70 percent. Graduation rates for New Mexico's minority students are even lower: 52 percent for Black students, 50 percent for Hispanics, and 45 percent for Native Americans.

New York Update

September 2009

Education Week reports that, in late July, New York State and New York City settled a legal case under which the U.S. Department of Justice argued the State billed the Federal Government for Medicaid services not provided or properly documented. It is estimated that the State's total liability could be as much as \$1.5 billion. In the short-term, the State will repay \$331 million over the next five years and release \$108 million in Medicaid claims. New York City will repay \$100 million over five years. The State has agreed to tighten its procedures for Medicaid reimbursement. Federal data show that New York accounted for 44 percent of the nation's total health services payments in 2000.

The New York Times reports that New York City's program called REACH (Rewarding Achievement) has sharply increased the number of minority students passing Advanced Placement exams. REACH pays students in 26 public and five Catholic high schools as much as \$1,000 for a passing AP score. The number of AP tests taken by students in these large-minority schools rose by more than 800 to 5,436; the number of passing grades increased by 302 to 1,774, a slight increase in the pass rate. REACH officials attribute the improvement to a change that linked the size of the students' rewards to their attendance at Saturday tutoring sessions with experienced AP teachers. The program awarded a total of \$825,000 this year.

For a number of years, the New York City school system has been operating the Aspiring Principals Program, a 14-month training program designed to increase the number of strong principals, particularly at low-performing schools. As reported by Education Week, a total of 230 principals have been trained by the program. This Spring, The New York Times published an analysis that showed schools with program-trained principals earned lower grades than other schools. A recent student by the Institute for Education and Social Policy at New York University, however, has found that elementary and middle schools headed by principals from the Aspiring Principals Program have made greater gains in English/language arts than other schools.

Also according to The New York Times, New York City Mayor Michael Bloomberg -- who is running for a third term -- has proposed a \$50 million initiative to support the City's community colleges in an effort to increase the number of skilled workers in fields like nursing. The Mayor's proposal would result in a 43 percent increase -- from 84,000 currently to 120,000 -- in the number of graduates from the City's six community colleges by 2020. Under the initiative, restrictions on financial aid for part-time students would be eliminated and \$6 million would be allocated for increasing child-care services for community college students.

The New York Times reports that Mayor Bloomberg plans to continue his approach to halting social promotions. Currently, City students in grades three, five, seven, and eight, who perform at the lowest levels on State exams in English and math are required to repeat their grade unless they improve in summer school. The new policy extends the requirement to fourth and sixth graders.

North Carolina Update

September 2009

As reported in Education Week, North Carolina's budget for FY 2010 cuts State aid to public schools by \$400 million -- about five percent. Cuts will hit the SEA's administrative budget (from \$53 million to \$47 million) as well as State funding for such items as textbooks and literacy coaches.

The News & Observer reports that, by counting student retaking of standardized tests, the number of North Carolina schools meeting Federal progress standards increased from 31 percent last year to 71 percent this year. Approximately 37 percent of students Statewide took the reading retest, 25 percent took the math retest, and 40 percent took the science retest.

According to data from the State Department of Public Instruction, 71 percent of North Carolina's public schools made adequate yearly progress (AYP) under the Federal No Child Left Behind Act. Results from the State's ABCs of Public Education accountability program show that 117 schools (4.7 percent) were top-rated as Honor Schools of Excellence. Another nine schools (.4 percent) were Schools of Excellence and 502 schools (20.3 percent) were Schools of Distinction. To be in these top categories schools had to have 80 percent of their students perform at or above grade level. The 628 schools in these categories this year far exceeds the 239 that were so rated in 2007-08. Only 75 schools (3.0 percent) were rated as "low-performing."

As reported in The News & Observer, the State has posted on its website copies of the end-of-grade and end-of-course tests that were given to students last school year. The posting is an attempt to promote transparency about State assessments. The posted version -- one of three used last year -- will not be used in the future. The tests and answer keys can be seen at: www.republicschools.org/accountability/testing/releasedforms.

During the 2008-09 school year, North Carolina had the highest number of home-schooled

students on record. The News & Observer reports that there were a total of 41,042 home schools operating in the State -- up from 38,367 the year before. The counties with the most home schools were Wake County (3,771 home schools), Mecklenburg County (2,956), and Buncombe County (1,637).

Ohio Update

September 2009

As reported in THE Journal, Ohio's differentiated accountability model was approved by the U.S. Department of Education in the Spring of 2008. The model -- which uses the *AIMSweb* assessment and data management system -- is intended to assess learning needs of individual students and to give schools and districts the tools to initiate appropriate interventions. Many educators who have applied the system report favorable results.

The Cleveland Plain Dealer reports that, although the Cleveland school district remains in "academic watch" status, some performance indicators are decidedly positive. Students in grades 4-8 have made greater than expected gains in reading and math. Fifty-three of the district's 81 elementary schools exceeded the gains needed to reach "value added" status on State report cards. Overall, 50 of 107 schools were in the lowest category, "academic emergency" and 27 are in "academic watch," the next lowest. A number of individual schools have been rated highly on State report cards. Particularly cited were "innovation" schools like Valley View Boys and Warner Girls leadership academies (high schools located on the John Hay campus) and the Cleveland School of the Arts. Cleveland's innovation schools have longer school days and school years, non-traditional scheduling, and greater teamwork among teachers.

Oregon Update

September 2009

According to The Oregonian, 71 Oregon schools have failed to make adequate yearly progress (AYP) under the Federal No Child Left Behind Act. Although the list of schools facing Federal sanctions (i.e., student transfer to a higher-performing school) has nearly doubled, overall Oregon schools -- particularly middle and high schools -- scored higher than last year. An online schools guide (<http://schools.oregonlive.com>) provides Federal ratings for every public school in the State.

Pennsylvania Update

September 2009

After much back-and-forth, the Pennsylvania State School Board has approved a requirement that high school students take graduation exams in core subjects. Known as Keystone Exams, the proposed tests would count as one-third of a student's grades. Students who fail would have multiple opportunities to retake the exams, pass an alternative assessment, or show proficiency through individual projects. Although the exams will first be given in the 2010-11 school year, it will not be until the Class of 2015 (this Fall's entering seventh-graders) that passing will become a requirement for graduation.

The Philadelphia Inquirer reports that, despite continued improvement in reading and math scores on State assessments, only 48 percent of Philadelphia students are reading at grade level and only 52 percent are at grade level in math. Both scores are up three percentage points from the year before. The City's racial gaps persist; White students score 23 percentage points higher than Black students and 25 percentage points higher than Latinos in reading. There are similar gaps in math. Last year, the district designated 85 of the most struggling schools as "empowerment schools" that received a total of \$30 million in extra resources. Another ten schools and even more resources will go to empowerment schools in the new school year.

South Carolina Update

September 2009

The Myrtle Beach Sun News reports that South Carolina is implementing a pilot program that will use early intervention to reduce dropout rates. Called Early Connections, the program will operate in 12 elementary and middle schools. The two-year pilot is intended to strengthen the collaboration of dropout prevention activities between high schools and elementary /middle schools. It will also provide technical assistance to help teachers and other school staff to identify at-risk students using school data.

South Dakota Update

September 2009

According to the Education Commission of the States, South Dakota Governor M. Michael Rounds has proposed to allocate \$2,954,000 for Year 3 of the State's Classroom Connections Program which would provide 4,600 more laptop computers for high school students and teachers. The new funding would increase the portion of South Dakota's high school students with computer access to 38 percent. The Governor's plan would also migrate the State's six public universities toward a mobile computing environment which would prepare students to use computers for learning in public schools and universities.

Tennessee Update

September 2009

Tennessee is implementing a major revision to its education standards through an initiative known as the Tennessee Diploma Project. Affecting every K-12 student in the State, the Project will:

- require more credits for graduation starting with the Class of 2013;
- replace gateway testing with end-of-course exams;
- require high school juniors to take the ACT;
- expect students to master a deeper understanding of their coursework; and
- require teachers to implement a new curriculum and instructional strategies.

Tennessee has joined the Common Core State Standards Initiative that is developing common English/language arts and mathematics standards.

Texas Update

September 2009

As reported in The Dallas Morning News, the Texas Education Agency has adopted a new scoring rule for the Texas Assessment of Knowledge and Skills (TAKS) which adjusts the test's pass rate to include students who are predicted to pass in the future. Known as the "Texas Projection Measure," the new rule, according to State officials, is intended to recognize schools that make progress with struggling students -- particularly students from poor families or English language learners -- but who still fall short of academic standards for "exemplary." To be considered "exemplary" a school must show a 90 percent pass rate on all TAKS tests. The change in the pass rate calculation has brought many schools up from the "recognized" category to "exemplary."

The Houston Chronicle reports that about 80 percent of Texas schools made adequate yearly progress (AYP) this year under the Federal No Child Left Behind Act. Texas is one of a few states that have been approved a "growth model" for measuring AYP. The new Texas Projection Measure has resulted in 30 percent of all Texas schools earning higher State ratings that they had in the past. In Houston, for example, only 29 schools missed AYP compared with 50 schools in 2008. Three Houston schools -- Jones, Lee, and Westbury high schools -- face the most severe Federal sanctions, replacement of their teaching staff.

According to The Dallas Morning News, Texas Education Commissioner, Robert Scott, has suggested that Texas employers not hire high school dropouts in an effort to force students to remain in school or continue their education elsewhere (e.g., an online program). The Texas Education Agency has been criticized by the Texas Association of Business for "severely under-reporting" the number of dropouts in the State. State data show a Statewide graduation rate of 88 percent for the Class of 2008. Business organizations and civil rights groups contend that the real figure is closer to 70 percent and even higher for Black and Hispanic students. This year, for the first time, the State's dropout rate calculation will include students who failed the State graduation exam, students enrolled in GED classes, and fifth-year students who do not enroll in

the first month of the school year.

A new study by the International Journal of Education Policy & Leadership looks at factors affecting teacher salaries and turnover in Texas. “Salary and Ranking and Teacher Turnover: A Statewide Study” is intended to help school districts to improve their teacher retention rates. The Study report is available at the Journal’s website.

The Dallas Morning News also reports that a new State law contains loopholes that would allow Texas high school students to satisfy graduation requirements by taking a large number of non-academic electives like band and physical education. The new law gives students the flexibility to take more electives but puts few limitations on their choices. It is possible that some students could take a quarter of their classes in such PE activities as sports, band, and cheerleading. The new graduation law was intended to give students more options for college preparation. The State Board is considering what options they have to close the loophole.

Education Week reports that the next superintendent of the Houston school district will be Terry Grier who has headed the San Diego (California) school system for the past year and a half.

As reported in the Houston Chronicle, the Houston school district has established a new virtual school operated by the for-profit Connections Academy. Known as the Texas Connections Academy at Houston, the new school started as a pilot program in December with 100 students. It is expected to enroll about 1,000 students in grades 3-8 this Fall. Connections Academy provides students with textbooks, service equipment, supplies, and a desktop computer. The district will receive \$7,826 each year per student enrolled in the virtual school and will pay Connections Academy \$6,500 per student. Teachers must be certified and participate in special training for online instruction.

Virginia Update

September 2009

According to Education Week, Virginia's \$77 billion biennial budget for 2008-10 will have to be cut by another \$1.5 billion based on new revenue data.

The Richmond Times-Dispatch reports that the number of elementary and middle school students taking an alternative to the Virginia State assessment -- the Standards of Learning -- has increased dramatically since it was introduced in 2005. Designed for students with physical or cognitive disabilities, the Virginia Grade Level Alternative assessments, generally portfolios of work, were taken by more than 47,000 students in grades 3-8 last year -- up from 36,000 students in 2007-08. The high school equivalent was used only 331 times -- still an increase over the 253 in 2007-08. The alternative assessments count for accreditation purposes but not for meeting Federal accountability standards.

According to Education Week, the Fairfax County school district in suburban Washington, D.C. will see a cut of about \$18 million in its \$2.2 billion operating budget, despite an enrollment increase of 5,000 students. The district has increased class sizes, frozen teacher salaries, and eliminated more than 200 non-teaching positions.

Washington Update

September 2009

Washington State is one of 11 states that have laws banning charter schools. As reported in The News Tribune, in 2004, Washington voters repealed a charter school law through the efforts of the State's teachers union. State education officials are concerned that the lack of charter schools will put Washington at a disadvantage in the Federal Race to the Top competition which will be giving preference to States that permit charters. The State hopes to convince the U.S. Department of Education that it has other creative reform innovations.

West Virginia Update

September 2009

West Virginia education officials have stated that the State is well-qualified for the Federal Race to the Top competition despite its lack of charter schools which the U.S. Department of Education has indicated are an important element of school reform. According to The Charleston Gazette, the State believes its proposed “innovation zones” are an acceptable alternative to charter schools. Innovation zones give teachers more flexibility to try new, research-based teaching methods and allow schools to modify the structure of the school day and school year (with 80 percent approval of school staff). It is expected that, in February, the State will select ten schools as innovation zones.

Wisconsin Update

September 2009

According to The Capital Times (Madison), Wisconsin has awarded a total of \$1.6 million in grants to 30 school districts to provide assistance to homeless children and their families.

Originally slated to fund up to 12 districts through the Federal Education for Homeless Children and Youth (EHCY) program, the State will use Federal stimulus money to expand the program to 30 districts. The grants will provide a variety of services to homeless families including tuition waivers, transportation, school supplies, counseling, and tutoring. The largest grant -- \$241,000 -- will go to Milwaukee.

According to the Milwaukee Journal Sentinel, Wisconsin Governor Jim Doyle has proposed an innovative teacher pay plan that would overturn the State's 16-year-old system known as the "qualified economic offer." Encouraged by the possibility of receiving funds through the Federal Race to the Top competition, Wisconsin legislators of both political parties have proposed bills that would link teacher pay to such student performance measures as test scores and graduation rates. The State's largest teachers union has said that the pay system should be based, not on student performance, but on teacher skills and knowledge.

The Milwaukee Journal Sentinel reports that 53 Wisconsin school districts have received \$125.5 million worth of borrowing authority through the Federal Qualified Zone Academy Bond (QZAB) program. The money is to be used for school construction and renovation projects. The State received a total of \$525 million in bonding requests from Wisconsin school districts. A panel rated the requests based on a number of factors including whether the district already had approval to issue bonds for proposed projects. The panel gave preference to projects that addressed early childhood education, school safety, and STEM (science, technology, engineering, and mathematics) subjects.

According to School Reform News, the Milwaukee Parental Choice Program (MPCP), the nation's largest school voucher program, will face severe budget cuts and new restrictions as a

consequence of Wisconsin's new State budget. The budget cuts funds for MPCP by 2.5 percent and, according to some educators, will subject participating schools to regulations that will take resources away from classroom instruction.

Wyoming Update

September 2009

As reported in the Billings Gazette, results on the Proficiency Assessments for Wyoming Students (PAWS) showed substantial improvement in writing but lower performance in reading and math. The PAWS exams in reading, writing, and math are given to all students in grades 3-8 and 11; eighth- and eleventh-graders also take the science exam. PAWS results showed that every grade except fourth improved in writing; in reading, only sixth-grade improved; and in math only students in fifth- and seventh-grades did better than last year. An audit committee in the State legislature has questioned the cost of PAWS testing, saying it requires \$7 million in State funds and ten days a year out of the school schedule.

Niobrara County School District #1 has entered into a partnership under which K12, Inc. will be the curriculum and school services provider to the Wyoming Virtual Academy (WYVA), the State's first public online K-12 school. WYVA will start offering classes in the Fall of 2009 and is currently accepting applications.