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**M E M O R A N D U M**

**DATE:** August 30, 2005  
**TO:** TechMIS Subscribers  
**FROM:** Charles Blaschke  
**SUBJ:** New Opportunities Being Created By IDEA Provisions on Early Intervening Services, NRG on Alternative Assessments, and Exit Exam Preparation

Enclosed is a revision of the Special Report submitted on August 6 identifying possible opportunities for TechMIS subscribers under the IDEA prereferral or early intervening services provisions which could result in almost \$1 billion being reallocated from special education to Title I or other programs providing such early interventions. Following a literal interpretation of draft IDEA regulations, virtually all states will be requiring districts with over-representation of minorities in their existing special education programs to allocate up to 15 percent of the district's IDEA funds for interventions intended to possibly reduce the need to place borderline students in special education programs. Check with each state special education office or website for the names of districts required to provide expanded intervening services.

Several Washington Update items identify additional somewhat related opportunities. The Center on Education Policy's new survey of states with exit exams has found that funding and other directly-related support for remediation and exit exam preparation has increased significantly over the last year, including almost a doubling of the number of states using online delivery of test retaking and test preparation. As CEP concludes, "In the coming years, as more states attach consequences to exams and as achievement gaps persist, cash-strapped states will face mounting pressure to appropriate more funding for effective remediation materials and programs."

New USED Non-Regulatory Guidance on alternative assessments for students with significant cognitive disabilities will not only provide greater flexibility for districts, but also could create a demand for certain products and services such as adaptive testing, professional development, and low-level remedial programs. The new Non-Regulatory Guidance does not apply to the new USED "interim policy" regarding gap students who

may take alternative assessments with grade-level-aligned proficiency standards (i.e., the so-called two-percent cap population).

New USED guidance on allowable uses of Title II A Teacher Quality funds is more prescriptive than the 2003 guidance, thus encouraging states and districts to use such funds in USED priority areas such as identifying early interventions to help students with special needs and to providing training on the use of assessment data to improve teacher practice. Title II A funds may also be used to purchase materials and supplies used in professional development activities so that teachers can apply their professional development techniques in a classroom setting.

Other Washington Update items include:

- Findings from a first-of-its-kind study of the effectiveness of supplemental educational services, conducted by the Chicago Public Schools, which found that the CPS-operated afterschool program was the most cost-effective compared to almost 30 external SES programs, a finding being used to justify a request by CPS to continue operating its afterschool program using Title I SES funding earmark;
- The results of the 37<sup>th</sup> Annual Phi Delta Kappa/Gallup Poll finds the general public -- generally and particularly public school parents -- are more likely to view major NCLB provisions more unfavorably as they learn more about NCLB; school parents also prefer improving instructional programs, including tutoring provided by teachers in schools identified for improvement, over transferring students to another school and the use of multiple measures and “growth models” over “fixed targets” of student proficiency targets currently used in AYP calculations; the August 22 News Conference is being broadcast for a limited time on C-SPAN I;
- New NCES Issue Brief describes characteristics of public school teachers’ professional development activities which could help providers design types of professional development which fit into current practices by schools and teachers.

This TechMIS mailing also includes State Profile Updates which should help most TechMIS subscribers identify targets of opportunity in the following areas: (a) states with increases in the number of schools identified for improvement providing opportunities for supplemental educational services and/or “partnerships” with districts wishing to provide their own SES; (b) students’ results on end-of-course or exit exams use under state accountability systems and proposed changes in proficiency standards and cutoffs; and (c) expanding distance learning activities across states, ranging from online test preparation to professional development.

As always, contact me or Blair Curry, who prepared the State Profile Updates, if you have any questions.