Washington Update [8]

Secretary Spellings Announces New Flexibility Options for Districts Impacted by Hurricanes in Calculating Adequate Yearly Progress and School Improvement Sanctions/Deadlines

Before the House Committee on Education and the Workforce on September 29, Secretary Spellings announced two new flexibility options that provides "dramatically impacted schools and districts flexibility <u>for one year only</u> on certain aspects of adequate yearly progress." In her prepared remarks she stated, "We believe the best way to accomplish this goal will be to allow those schools and districts to report the results for hurricane-displaced students as a separate subgroup, or group of students. Using their good judgment and criteria I have released today, states that were seriously affected by this tragedy may also exercise the delay provisions of No Child Left Behind without seeking a waiver from the Department. These provisions would temporarily delay certain schools and districts from moving forward in the school improvement timeline," even if they do not make adequate yearly progress.

Concurrently, she released a letter to Chief State School Officers detailing the above criteria and two options. Option 1 (which we highlighted in our September TechMIS Special Reports) allows a school or district one additional year in the school improvement timeline if the reason for not making AYP is "due to exceptional or uncontrollable circumstances, such as a natural disaster." The policy letter states, "Therefore, any State or school district with schools: (1) that are located in the 'major disaster' areas declared by the President in the States of Louisiana, Mississippi, Texas, Alabama and Florida as a result of Hurricane's Katrina or Rita; and (2) that have sustained substantial damage such that the schools have been closed for a significant period of time as a result of Hurricanes Katrina or Rita, may implement this delay for the 2005-06 school year without a waiver." She also indicated that USED would consider waivers for other schools and districts that have been adversely impacted by the hurricanes due to enrolling large numbers of displaced students or other factors. Such requests would be considered on a case-by-case basis. Within the parameters of the criteria, SEAs would provide guidance to districts in determining eligibility for the one year delay.

Option 2 -- which the Secretary prefers -- would establish a separate subgroup for displaced students, again only for the 2005-06 school year. If a waiver is granted to the state, then the SEA would provide guidance to districts to ensure that displaced students are considered only part of that subgroup and not

included in any other subgroup for determining AYP. No guidance is provided in the letter as to the minimum size of the subgroup which had been negotiated with USED for other subgroups such as special education and English language learners. All other assessment requirements would apply to this subgroup of students. As the letter states, "Having performance information separately identified will help us make more informed judgments about how displaced students performed and how and to what extent accountability determinations will be applied next year."

Under a section of the letter referred to as "Additional Considerations and Resources," the letter states, "Many of you have indicated that shortly, if not already done by now, you intend to assess these students in a variety of ways to help confirm initial placement or to guide a change in placement. I encourage you to not only use appropriate diagnostic assessments or progress-monitoring tools to help identify individual strengths and needs at placement, but to follow-up with similar procedures throughout the year to monitor academic improvement. To support those schools that administer such assessments, I would encourage States to use this information as additional evidence to support the implementation of Option 1, and I may consider the data thus generated as appropriate for measuring alternative AYP goals for Option 2."

In her policy letter to the Chief State School Officers, Secretary Spellings stated, "Motivated by the consequences of Hurricanes Katrina and Rita, the National Center for Special Education Research in the Department's Institute of Education Sciences, under the leadership of Dr. Edward Kame'enui, Commissioner of Special Education Research, and a team of nationally recognized researchers, local educators, and others developed guidance offering suggestions for how districts and schools might organize in response to such unfortunate events. This guidance provides general suggestions for enrolling students and organizing resources when a school is faced with a large influx of students."

As we reported in our April TechMIS, after Secretary Spellings announced the so-called "two percent" flexibility for using modified assessments aligned with grade level content, Deputy Secretary Ray Simons indicated, at that time, that guidance in the form of a "tool kit" and technical assistance would be provided to state special education directors and others to help them select instruments and interventions which could be used with such "gap students." He specifically identified the three Reading First centers at the University of Oregon, Florida State University, and the University of Texas as providing this assistance. In the October 2005 Phi Delta Kappan issue, Dr. Gerald Bracey, who has been a national critic of the Reading First program, reported that the Success for All foundation filed a second complaint with the USED Inspector General which asserted conflicts of interest at the Reading First technical assistance centers. As he reported in PDK, "The complaint then specifies eight conflicts existing at the western

regional TAC at University of Oregon --- Kame'enui's university --- four at the central TAC at University of Texas, and similar conflicts at the eastern TAC at Florida State University." Over the last several months, Kathleen Kennedy Manzo, a reporter from Education Week, has also questioned some of the ethics and potential conflicts of interest, especially during the early days of Reading First. Beyond the statement in the Spellings letter of September 29, no additional information has been made available to the public regarding who the team of nationally-recognized researchers to offer guidance would be. Nor was information available regarding the specifics of the second OIG compliant filed by Success for All. Observers who follow the Reading First program also claimed ignorance about who would be involved in providing this guidance, which is supposed to be posted by USED on its website during the week of October 3 at http://www.hurricanehelpforschools.gov/.

Many of these same observers, however, felt that a large percentage of displaced students are likely to need early intervening services under the 15 percent IDEA set-aside and/or alternative assessments and instructional programs which many cognitively-impaired students receive under the "two percent cap" for gap students as noted in the TechMIS August Special Report.

New Research Priorities for the Institute of Education Sciences Reflect Subtle Policy Changes and Could Have Direct Implications for Some Education Publishers

Early in September, USED's Institute of Education Sciences released a brief document describing its long-term research goals and priorities that were approved by the National Board for Education Sciences: "First, to develop or identify a substantial number of programs, practices, policies, and approaches that enhance academic achievement and that can be widely deployed; second, to identify what does not work and what is problematic or inefficient, and thereby encourage innovation and further research; third, to gain fundamental understanding of the processes that underlie variations in the effectiveness of education programs, practices, policies, and approaches; and fourth, to develop delivery systems for the results of education research that will be routinely used by policymakers, educators, and the general public when making education decisions." All of the goals are designed to contribute to IES's "overarching priority" which is conducting research that contributes to improved academic achievement for all students, particularly students with disabilities and those also with limited English proficiency.

Three of the long-term research goals were published in the Federal Register on June 16 to solicit public comments. The Board approved the additional goal of gaining fundamental understanding of

processes underlying variations in the resulting effectiveness of programs, practices, policies, and approaches, as a result of several comments by interested groups, including SIIA. In its last announcement, the IES stated as a justification for separating this goal from the others as follows: "In conducting research on academic outcomes, the Institute will concentrate on conditions within the control of the education system, with the aim of identifying, developing, and validating effective education programs, practices, policies, and approaches, as well as understanding the factors that influence variation in their effectiveness such as implementation." As we have argued in the past, the appropriate research question to ask in assessing the impact of certain technology applications, is: how well did certain groups of students improve their performance through the use of specific technology-based instructional applications which are well-implemented and under what conditions? Some of the areas in which this research question will be addressed include curriculum, instruction, assessment and identification of students with disabilities, parent choice of educational services, and school related learning opportunities in the home.

According to Education Daily (September 8), "Several members, including Caroline Hoxby of Harvard University and Eric Hanushek of Stanford University, pressed that research measure cost-effectiveness and efficiency, as well as student achievement, when evaluating the effectiveness of interventions." The notion of using productivity or cost-

effectiveness criteria for assessing the use of technology for instruction, as well as day-to-day operations, has not been elevated to a high priority in USED or IES research discussions. IES also oversees the National Center for Education Evaluation which is responsible for implementing program evaluations with funds earmarked by Congress for certain programs. For example, approximately $3.7 million annually is being allocated to several national studies of the effectiveness of education technology interventions. However, the criterion for measuring the impact of these interventions was solely student reading and math achievement scores. We have been told that data are being collected on implementation variables, and other factors such as increased staff productivity; it is likely these may be taken into account in the reports due next Spring..

One other statement in the brief IES goal document also reflects subtle policy changes: "By providing an independent, scientific base of evidence and promoting and enabling its use, the Institute aims to further the transformation of education into an evidence-based field, and thereby enable the nation to educate all of its students effectively." Three years ago, now IES director Russ Whitehurst chided software publishers attending the SIIA Fly-In for not conducting their own company-sponsored randomized trials and related research on the effectiveness of their products in much the same way that pharmaceutical companies conduct their own research and report findings to the FDA. Indeed, some of the studies that received high marks by the What

Works Clearinghouse on research rigor in the area of middle school math were conducted by the firm and/or former employees of the publisher which in many quarters raised questions about the objectivity of the research. During the last SIIA Fly-In, Whitehurst discussed the possibility of attempting to formalize a process whereby publishers could identify not only independent researchers with whom to work, but also schools that might be interested in conducting quasi-experimental research on the effectiveness of certain software products. Also, conspicuous by its absence is the three-word phrase "scientifically-based research," although on several occasions there is reference to the "scientific base of evidence" in converting education into an "evidence-based field."

During the recent meeting with supplemental publishers who are members of the Association of Education Publishers, IES Director Whitehurst recognized the difficulties, if not impossibility, of applying the "pharmaceutical model" to K-12 education. According to several attendees at the Washington Legislative Forum, he indicated that IES would consider alternative designs to randomize clinical trials such as quasi-experimental designs that evaluate education materials to determine their scientific basis.

New Survey Finds Teachers Perceive Technology as Having An Increasing Role in Their Activities, Particularly Administrative Functions

The most recent Teacher Talk Tech 2005 survey, underwritten by CDW.gov and conducted by Quality Education Data, describes teacher perceptions of the impact and increasing role of technology in teaching activities.

One of the findings regarding teacher perceptions has direct marketing and sales implications for firms with certain products. Fifty-six percent of teachers report that technology has changed the way they teach "a great deal," with all groups of teachers seeing an increased role for technology. Sixty-seven percent of teachers with more than 20 years experience responded that technology has had a "great deal" of impact on the way they teach, while only 37 percent of the teachers with less than five years experience thought the impact has been "great." About 86 percent of teachers felt technology was playing an increasing role in all of their teacher-related functions -- including administrative functions, communica-tions, research, planning, and classroom instruction -- compared with 76 percent last year. While 76 percent of the teachers believe technology is an effective tool for teaching the subjects they personally teach, only 58 percent feel technology will improve student performance on standardized tests. The areas in which teachers feel technology as a teaching tool is most effective are reading skills (67 percent), writing skills

(64 percent), math skills (59 percent), and critical thinking skills (59 percent).

Forty-five percent of responding teachers indicated they didn't integrate computers in their daily curriculum. One possible reason is that 26 percent of teachers thought they had been provided inadequate or no training in the use of instructional software compared to only 10-20 percent who felt they had inadequate or no training in the use of administrative applications. While not all of the teachers had access to assessment software in their school, more than a third who responded said they had little or no training in the use of assessment software. As numerous reports and studies have found over the last year and as reported in several TechMIS Washington Update items, the greatest professional development need relates to teacher use of assessment results to diagnose and prescribe lessons or interventions in programs such as IDEA, Title I, and Reading First.

The survey also found that over 60 percent of teachers believe there are too few computers in their classroom. Three-quarters of teachers report that all students share or take turns using computers, while only 10 percent report there is one computer for each student. As the report notes, there are no significant differences between 2004 and 2005 responses to this question.

Several findings regarding teacher perceptions about staff development could have implications for vendors. Over the last three years, teachers classified as "somewhat advanced" or "advanced/expert" are more apt to regard professional development as having a positive impact compared to beginner or intermediate technology-using teachers. One possible explanation is that, as new solutions or new versions of applications are announced, more advanced technology-using teachers are likely to be the ones to use these solutions or upgrades. Their perceptions of the need for training or tutorials could suggest that opportunities for just-in-time, on-demand tutorials for new applications or upgrades delivered online would be most beneficial for these teachers. The study also found that there were no significant differences in teacher responses between 2004 and 2005 in terms of the amount of time teachers reported being involved in professional development, with nearly three-quarters of teachers reporting that they spent eight hours or less in technology professional development. This suggests that there is a need to ensure efficiency in providing such staff development as teacher time available for staff development appears to be fixed.

As noted earlier, a growing number of teachers perceived the role of technology increasing in several administrative functions which they conduct. The findings also indicate that teacher respondents considered themselves well-trained in certain administrative applications, such as e-mail (50 percent), word processing (48 percent), and grading software (39 percent), while only 25 percent felt they were well-trained in the use of instructional software. Approximately 26 percent of teachers responded that they were inadequately trained or received no

training in the use of instructional software, with approximately three-quarters of teachers responding that technology is an effective tool for teaching the subjects they personally teach. There appears to be an unmet need for staff development on the use of instructional applications and solutions, perhaps more so than in most types of administrative applications used by teachers.

Other interesting findings include:

- Middle and high school teachers are more likely than elementary teachers to use the school's Internet/intranet for communicating with parents;

- About ten percent of teachers responded that their classroom currently has one-to-one computing; more than half of all teachers support one-to-one computing;

- Elementary schools are significantly more likely to have access to computers for student use in the classroom compared to high school and middle school students which are likely to have greater access to computers in their library and media center.

For a copy of the report go to http://newsroom.cdwg.com/features/TTTCompleteResults.pdf.

Education Funding Anxieties and Confusion Over Hurricane Relief Policies Dampens the Mood of the Committee for Education Funding Gala

During the annual Committee for Education Funding Gala, attended by officials from several hundred education associations and Congressional staff, virtually all officials with whom we talked expressed heightened anxieties over the fate of education funding, partially as a result of the hurricane relief effort. Among technology advocates, confusion became apparent surrounding policy statements from the White House, USED, and the Federal Communications Commission. Veteran education policy observers agreed that the "height of folly" would be to expect an increase in K-12 education programs in the FY 2006 appropriations authorization. Some even felt that existing programs which are "advanced funded" such as Title I, Drug Free and Safe Communities, among others, may have some of their funds rescinded during the school year and be diverted to hurricane relief.

The mood among technology advocates has changed significantly from the summer where they were able to successfully lobby for significant restoration of the proposed cuts to the E²T² Title II D program; the proposed House mark would restore $300 million while the Senate Appropriations Committee would restore $425 million of the program funded at almost $500 million for FY 2005. Most observers felt that Title II D was one of the most

likely candidates for having its funds diverted toward the $2.6 billion proposed hurricane relief package (see Transmittal Memo for update).

One large area of such confusion surrounded FCC policy toward using E-Rate discounts to aid in the relief effort. An earlier announcement by the FCC estimated that approximately $130 million of E-Rate discounts would be reallocated to applicant districts and libraries who suffered devastation by reopening the 2005 application process for them to take into account new infrastructure needs. On the other hand, on September 22, FCC Chairman Martin appeared before the Senate Commerce, Science, and Transportation Committee and stated that approximately 600 schools and libraries which are receiving increased enrollment of displaced students will be assigned priorities in order to receive their portions of approximately $94 million in E-Rate discounts. He failed to mention in his testimony what, if any, discounts districts that were significantly damaged would be provided (see Education Week (September 28)). At least four well-known lobbyists for education groups supporting the E-Rate program admitted that the situation was very confusing, SETDA officials indicated that they had been holding weekly conference calls with state technology directors and other officials in states which were damaged as well as in states in which displaced students were being enrolled in schools.

Secretary Spellings announced, in early September, that Chicago Public Schools would be allowed to continue using Title I funds to operate its district-operated

SES program under the condition that the number of students participating in SES be increased across the district. She indicated that other urban districts in similar situations would also be allowed to continue using Title I funds to offer their district-operated programs. Again, on September 29, before the Workforce and Education Committee, she reiterated that additional districts would be identified. Officials from the Council of Great City Schools, which has been asked by the Secretary to take a lead role in identifying districts in which increased SES flexibility would have the greatest impact, indicated that the process has been delayed largely because of the emergency relief effort toward the Gulf states and districts. Evidently, some high-level USED officials with ideologies similar to former Deputy Secretary Eugene Hickok generally oppose this policy change and continue to "drag their feet."

A reporter who has covered Title I, special education, and the McKinney-Vento for several years indicated that he had exhausted all of his sources and still could not find out what proposed changes in McKinney-Vento the Administration is going to request by Congress or whether Congress will delegate USED waiver authority to make changes. Either the detailed changes don't exist or they are being kept under close wrap.

At the gala, while there were a few self-congratulatory public statements by speakers and one-on-one discussions among education lobbyists, there were no directly critical comments about NCLB provisions which have resulted in

serious unintended consequences or about the White House attempt to take advantage of the hurricane-ridden Gulf Coast situation by funding the largest voucher program in U.S. history. And, for the first time in memory, there were no awards made to distinguish pro-education advocates on Capitol Hill or elsewhere. At last year's gala, Congressman David Obey (D-WI), ranking Democrat on the House Appropriations Committee, in a firebrand speech attacked some of the assumptions and foundations underlying what now has grown to be a rather dysfunctional NCLB implementation. Perhaps the education lobby community is hoping to "weather the storm," hoping for a major change in Congress in next year's election or they are succumbing to the continuing political persuasions and policies that emerge as opportunities arise. One exception, however, appears to be associations and other groups which could be classified as education technology advocates.