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M E M O R A N D U M

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TO: TechMIS Subscribers

FROM: Charles Blaschke

SUBJ: Districts Most Likely to Allocate Funds for Early Intervening Services, Increased District Funding for Professional Development, November Election Implications, Continued Growth for Online Learning, and State Profile Updates

This TechMIS issue addresses a number of recent surveys whose findings are generally positive for most TechMIS subscribers and provides a preliminary analysis of the probable impact of the recent election results on Congress and, in turn, on education funding and policy changes. Thus far, the new Democratic leadership has focused primarily on key committee leadership posts with many of the FY 2007 funding questions not likely to be resolved during the lame duck session.

The Washington Update includes:

- A new report identifies districts with the highest degree of over-representation of African-American males in special education programs, suggesting that these districts are most likely to be required to reallocate 15 percent of their IDEA funds for early intervening services and Response To Intervention approaches. The total amount for EIS could be as high as \$1 billion.
- Two recent surveys of superintendents and principals found that the two greatest perceived needs which would improve student performance are increased professional development for teachers and better and more timely test data to select effective intervention programs -- and they have increased district expenditures in these areas.
- A new report confirms rapid growth in online learning, with 38 states having either state-led online learning programs or significant policies regulating online education; accelerated enrollment growth continues

- A new report on achievement gap findings could provide strong justification for certain changes in NCLB, such as replacing the current “status of model” with “growth models” for calculating AYP and expanded use of after-school programs.
- A new report from the Center for American Progress recommends that USED provide greater Federal funding flexibility in the ways supplemental educational services funds can be used in order to increase after-school programs at the high school level.
- USED official emphasizes SEAs role in providing guidance to districts in implementing Response To Intervention and early intervening services suggesting key steps to be undertaken.
- Democratic takeover of both the House and Senate likely to increase the probability of NCLB changes and possibly reauthorization next year with some increase in funding for FY 2007.
- Appointment of new Democrats to lead key committees could result in new or expanded initiatives and restoration of Federal funds for “pet projects” which the Administration proposed to eliminate.
- Council of Great City Schools presents recommended changes for the reauthorization of NCLB which are much more specific than those being made by other associations.
- A new report based on a survey of employers finds that new entrants to the 21st Century Workplace are deficient in applied skills and suggests the need to refocus or expand NCLB priorities.
- Gates Foundation to give nearly \$10 million in grants to communities and schools to expand network of non-traditional high schools.

A number of miscellaneous developments have occurred which could be of interest to specific TechMIS subscribers including:

- New USED guidance to SEAs will allow districts to receive the amount of Title I funds provided by USED in its August calculation before the discovery of a \$25 million mistake it discovered in late September which held up the October Title I allocation to states. Rather than having the states to recalculate and make adjustments on the USED final October allocations, SEAs would be allowed to make adjustments in the 2007-08 allocations, where small percentage increases or decreases will have occurred. With the new USED guidance, most of the uncertainties holding back actual allocation of Title I funds to districts have been cleared up and allocations are being made. Generally speaking, the purchasing cycle for Title I is occurring 1-1.5 months later than normal.

- A report of the Council of Chief State School Officers, which identifies changes requested by states and approved by USED, reported that 33 states opted for the “interim flexibility” to count up to two percent of special education students as those which should be taking “modified assessments.” The interim policy was announced over a year ago in draft guidance, which has yet to be finalized. Many states’ accountability and assessment plans have not been approved because of the lack of valid and reliable modified assessment instruments for so-called “gap students.” As with English language assessment instruments developed, many states are having to go back to the drawing board to develop new “modified assessments.”
- USED recently approved “growth model” proposals for Delaware, with Arkansas and Florida likely to be approved shortly. Arizona, California, Iowa, Hawaii, Ohio, Nevada, New Hampshire, Pennsylvania and Utah will be vying for approval for the remaining five available slots early next year. (See USED Press Release, November 9, 2006.)
- Under the new Teacher Incentive Funds, 16 districts will receive \$42 million to implement different incentive models which tie teachers’ bonuses to students’ performance and other measures to increase teacher quality and retention. Good opportunities could exist for firms which tend to partner with districts through “profit sharing” arrangements with groups of teachers (see USED Press Release November 5).

The staff of Education TURNKEY would like to wish all TechMIS subscribers a happy holiday season and a prosperous new year.

Washington Update⁸

Vol. 11, No. 12, December 7, 2006

New Report Identifies Districts with The Highest Degree of Overrepresentation of African-American Males as Mentally Retarded, Which Strongly Suggests These Districts Will Reallocate at Least 15 Percent of Their IDEA Funds for Early Intervening Services This Year

A new report entitled, "Public Education and Black Male Students," by the Schott Foundation for Public Education, has identified districts with significant overrepresentations of African-American male students, classified as mentally retarded, in special education programs. These districts are the prime candidates for having to reallocate 15 percent or more of their IDEA funds to other district offices to implement early intervening services for borderline minority students, possibly reducing the need to place them in special education programs.

The report also identifies districts which have used interventions successfully to reduce disproportionality, particularly regarding African-American males who might otherwise have been placed in special education programs for the mentally retarded. The Foundation used data compiled for the 2002-03 school year by the U.S. Department of Education, Office of Civil Rights, which, in its recent report to Congress, noted that between fiscal year 2004 and 2005, the number of complaints increased by more than 500 to a total of 2,500. As reported in Education Daily (November 14), knowledgeable individuals

attribute the large increase to the passage of early intervening services provisions in IDEA at the beginning of that time frame.

The Foundation identified the following districts in which five percent or more of the African-American male population was placed in special education programs for mentally-retarded: Indianapolis, Cleveland, Orange County (Florida), Richmond (Virginia), Birmingham, and St. Louis. In Cleveland, Detroit, and Chicago, the Foundation estimated that the number of African-American male students which were inappropriately placed in special education exceeded 1,000.

The districts with slight to serious overrepresentations of African-American males placed in special education programs for mentally-retarded included the following:

- Alabama
 - Birmingham City
 - Mobile County
 - Montgomery County
- California
 - Los Angeles Unified
 - Oakland Unified
 - San Diego Unified
- Florida
 - Broward County
 - Dade County
 - Duval County
 - Hillsborough County
 - Orange County
 - Palm Beach County
 - Pinellas County

- Georgia
 - Chatham County
 - Clayton County
 - Cobb County
 - DeKalb County
 - Fulton County
 - Gwinette County
 - Richmond County
- Illinois
 - Chicago County Public Schools
- Indiana
 - Indianapolis
- Louisiana
 - East Baton Rouge Parish
 - Jefferson Parish
 - Orleans Parish
- Maryland
 - Baltimore City
 - Baltimore County
 - Montgomery County
 - Prince Georges County
- Massachusetts
 - Boston
- Michigan
 - Detroit
- Minnesota
 - Minneapolis
- Mississippi
 - Jackson Public Schools
- Missouri
 - Kansas City
 - St. Louis
- Nevada
 - Clark County
- New Jersey
 - Newark City
- New York
 - Buffalo
 - New York City
 - Rochester
- North Carolina
 - Charlotte-Mecklenburg
 - Cumberland County
 - Guilford County
 - Wake County
- Ohio
 - Cincinnati
 - Cleveland
- Texas
 - Dallas
 - Fort Worth
 - Houston
- Virginia
 - Norfolk
 - Richmond City
 - Virginia Beach
- Wisconsin
 - Milwaukee

In some of the above districts, the degree of disproportionality or overrepresentation of minorities in special education might have changed. For example, the Foundation report praised districts in Maryland, such as Montgomery County and Prince George's County, for having introduced interventions which have slightly reduced the level of disproportionality. In August 2005, the

Maryland State Department of Education identified 16 of the 24 districts as having overrepresentation and required each of them to set aside up to 15 percent of IDEA fundings to implement early intervening services.

Several districts in Florida actually began implementing the early intervening services provisions prior to the final passage of IDEA. For example, Hillsborough County Schools (Tampa) initiated a pilot program using direct instruction interventions in four schools. Because of its success, the pilot has now been expanded to more than 60 schools. Pinellas County (St. Petersburg) set aside 15 percent of its IDEA allocation in August 2005 and hired more than 10 reading coaches. Charlotte-Mecklenburg (North Carolina) initially targeted borderline minority students at the middle school level using direct instruction type interventions shortly after the passage of the new IDEA.

For a copy of the report, go to www.schottfoundation.org.

Superintendents and Principals Identify Their Greatest Needs for Improving Teaching and Learning: More Professional Development and Better and More Timely Test Data -- and They Appear to Be Willing to Increase Funding into These Areas

In two recent surveys, superintendents and principals have identified their two greatest perceived needs to improve student performance as: (1) increased professional development for teachers and “instructional

leaders,” and (2) more timely and useful assessment data which can be used to inform instruction and select appropriate interventions. In one survey by Public Agenda, entitled “Reality Check 2006: The Insiders: How Principals and Superintendents See Public Education Today” education leaders also reported that other NCLB provisions which are USED priorities -- such as teacher merit pay and alternative teacher certification --were neither needed nor effective. The other survey, conducted by MDR for SIMBA, identified the challenges for providing more professional development for teachers, including the need for creative delivery, and minimizing teacher time taken from the classroom.

The “Reality Check 2006” survey found the most popular strategies for improving student performance were more professional development and mentoring for new teachers, second only to “making it easier for them (principals and superintendents) to fire bad teachers.” And about seven in ten superintendents and principals felt a great need to get student testing data in a more useful and timely manner. One other interesting finding was that principals “are more likely to think they should be held accountable for increasing student achievement than they were several years ago. In 2001, only a third of principals (34 percent) considered this a good idea. Today over half (55 percent) do.”

The MDR survey, released during a recent SIMBA conference, said the areas of greatest need to improve student performance and meet AYP were:

- Intervention programs (71 percent)

- Professional development for teachers (63 percent)
- Data management and analysis tools (59 percent)

As reported in Education Marketer, a SIMBA publication (November 6, 2006), almost 60 percent of the principals and superintendents responding said their budget for interventions had increased this school year. About 60 percent said there was more money budgeted this year for professional development than last year. Electronic Education Report, another SIMBA publication, identified some of the preferred features of data management systems and tools, which were very similar to the perceived needs in the “Reality Check 2006” report, as:

- Tracking student progress from year to year (92 percent)
- Analysis of test scores (88 percent)
- Linkage of diagnostic analysis to instructional materials/recommendations (85 percent)

Another recent study sponsored by CDWG found that one of the greatest perceived needs of teachers was professional development in the area of using assessment data to diagnose and prescribe instructional materials in order to individualize instruction for each student. The same Educational Marketer article that summarized the MDR survey findings reported, “alignment with state standards and the ability to be integrated into instructional programs already in use in classrooms were the most important features for intervention programs....” The article

also noted that 52 percent of respondents said purchasing decisions for intervention programs were made at the school level, while 42 percent said such decisions were made at the district level.

For a copy of “Reality Check 2006,” go to www.publicagenda.org/research/pdfs/rc0604.pdf. Information on the MDR survey can be found at www.simbanet.com.

Study Confirms Rapid Growth in Online Learning, with 38 States Having Either State-led Online Learning Programs or Significant Policies Regulating Online Education: Accelerated Growth in Enrollment Expected

A new report, sponsored by the North American Council for Online Learning (NACOL), entitled “Keeping Pace With K-12 Online Learning: A Review of State-Level Policy and Practice,” reports that 38 states now have state-led online learning programs or policies regulating online education or both, with enrollment in some of these online entities growing by more than 50 percent over the last year. Over the last year, states entering the online learning field included Missouri, South Carolina, South Dakota, and Nebraska. As of September 2006, 24 states had state-led online programs, while 26 states had significant state policies governing online learning, with 12 states having neither. Most states with significant online learning policies, but without a state-led program, have many major district-level online programs or cyber schools. Some of the major developments over the last year noted in the report include:

- The Michigan state legislature now requires students to “experience” online learning in order to graduate.
- A new law in Georgia allows cyber charter schools.
- The North Carolina virtual public school was created.
- Missouri created a new state-led online program, to open next year, for full and part-time students.
- Washington State issued guidelines for its “alternative learning experience” policies under which most online learning programs fall.

The amount of dollars allocated to online learning is one of the top issues confronting policymakers. According to the report, state funds are appropriated by the legislature for most state-led programs, such as those in North Carolina, Alabama, and Georgia. Federal flow-through funds are used in other states such as Illinois, which allocates part of E²T² funds for the Illinois Virtual High School. Most state-led programs also charge student fees for courses ranging from \$100 to several hundred dollars per student per semester. In Florida, the Florida Virtual School has moved from initial funding as a project to now receiving Full-Time-Equivalent (FTE) student aid for students enrolled in its courses.

While the report notes that online courses provide the only access for some students enrolled in urban schools to receive certain types of courses, an additional and unplanned advantage of online learning is promoting 21st century skills and global citizenship. The recent law passed in

Michigan which stated, “Students interacting in these classes will not only gain the course content skills being taught, but will also learn about their online classmates, gaining online collaboration, and global citizenship skills.” Another unplanned advantage of online learning is the opportunity for blending classroom-based and Internet-based instruction.

In order for growth to continue, the report argues, “A necessary first step is removing the barriers -- the policies that simply do not make sense in the online environment...policies that dictate that students must be taught by state-certified teachers residing in the state may be appropriate for place-based teaching, but online course delivery transcends such barriers. Similarly, seat time requirements make little sense in an environment... ..where true education outcomes can be easily tracked and substituted instead.”

While the growth of formal online course offerings have certainly increased, this report does not address the area in which perhaps the most significant growth is occurring -- namely, the use of online instruction for remediation, tutoring, and test prep. This aspect of online growth can be attributed to: (1) an increased number of states requiring students to pass exit exams or end-of-course exams in order to graduate; (2) the use of alternative assessments for special education students; and (3) remediation, tutoring, and test prep for students participating in supplemental educational services (SES) in Title I schools required to provide SES. Perhaps the best opportunities here exist in those states which have rules and laws governing online programs that are provided by districts. In several states, such as Alabama and Georgia,

state level initiatives to provide online tutoring for students failing state exams, also provide opportunities.

Beyond K-12, college remediation is another fertile growth area for of online remediation. A 2006 “National Survey of Student Engagement,” recently released by Indiana University, reported, “Those students who come to college less well prepared academically...tend to benefit from engagement in educationally purposeful activities, even more than their peers do.” Overall, the NSSC report concludes “distance learning students outperform or perform at par with on campus students on measures, including high level of academic challenge...enriching education experience...and gains in practical competence.”

The full report from NACOL can be reviewed at <http://www.nacol.org>.

Achievement Gap Findings Could Provide Strong Justification for Certain Changes in NCLB Reauthorization

A new report from the Northwest Evaluation Association (NWEA) on the achievement of more than 500,000 students in 24 states in grades three through eight could provide a strong justification for a number of changes during NCLB reauthorization (or even before then in the form of “riders” in the appropriations bill for education). Although a number of studies of the achievement gaps among Hispanic, African-American, and white students, as well as between students from high- and low-poverty families, have reported that achievement gaps, over the last several years, have not been closing,

findings from NWEA were more granular (i.e., the analysis followed the progress made by individual students over time). Similar to findings from other studies NWEA also reported, “When groups of students were followed across time, they appeared to be growing at comparable rates. However when the growth of students who begin the school year at the same skill level is compared, a different pattern emerges. For each score level at each grade in each subject minority students grew less than European-Americans and students from poor schools grew less than those from wealthier ones.”

The percentage of students participating in the free and reduced price lunch program determined whether the school was “poor” versus “wealthy.”

NWEA also looked at performance changes during the summer when students, for the most part, do not receive instruction. As NWEA found, “Although some students made some progress over the summer, others, especially those with higher skills, lost ground academically. When students at comparable skills at the end of the school year were measured the following fall, African-Americans and Hispanic students grew less or lost more ground than their European-American peers and students from poor schools grew less or lost more ground than comparable students from wealthier schools.”

As NWEA concludes, “In general, students enrolled in high poverty schools, African-American students and Hispanic students begin school with lower skills, grow less academically during the school year and lose more skills over the summer than their wealthier and European-American peers.”

One of the differences between the NWEA's most recent analysis and other studies is that it took into account the growth of individual students, and analyzed individual student growth at than just two points at a time. In addition, NWEA focused more precisely on growth of students with a particular starting point.

Another study, conducted by Eric Hanushek and Steven Rivkin, using a database maintained by the Texas Schools Project (which had longitudinal data on 800,000 students in grades three through eight), found that the "negative impact of attending a racially isolated school tends to be greatest for black students who start out at the high end of the achievement spectrum." As reported in Education Week (November 15), this study attempted to explain what causes the differences in African-American student performance over time. An earlier study from the National Bureau of Economic Research, which published the Hanushek and Rivkin report, found that racial segregation had a significant impact, particularly as it related to the neighborhood and not necessarily the school.

The NWEA report notes that because there are little differences in the aggregate growth among ethnic groups and between students from poor or wealthy schools, this "indicates that schools and teachers are giving equal attention to and are equally effective with these groups. However, the rate of growth is not sufficient to close the gap in scores. What we see as a gap in student performance in different groups is made up of thousands of individual students engaging academic content in thousands of unique ways." These reports appear to agree on the degree to which schools alone can be held accountable. As Hanushek stated in

Education Week (November 15), "The dilemma of this paper is that we find school factors are very important, but it's very hard for schools to change those specific factors." Following the release of a Fordham Foundation recent study that found only in eight states is the achievement gap between groups of studies being reduced, Michael Petrilli, Vice President of the Foundation, stated, "It's certainly fair to hold schools accountable to the degree they are causing the achievement gap," as reported in Education Daily (November 20). As a result of NCLB, Petrilli also implied schools have encouraged closing achievement gaps by reducing standards or neglecting high performance students in order to appear to close the achievement gap.

The NWEA report provides a strong justification for the incorporation of growth models -- with each student having a specific growth target -- in the calculation of adequate yearly progress (AYP). In turn, such a priority or increased emphasis would create a demand for individualized instruction, which virtually all education associations support being incorporated into the reauthorization of NCLB. Individual education programs (IEPs) have been used in special education programs for almost four decades, and increasingly states are requiring "personalized graduation" plans or similar support and reporting tools to increase graduation rates. To implement IEPs or individualized learning plans, an increased emphasis has to be placed upon formative assessments, which can inform instruction and help teachers select appropriate interventions were necessary.

In addition to supporting the use of growth models for calculating AYP, a similar justification can be made for using adaptive

testing for all students, with the possible exception of severely cognitively-impaired students in special education for which alternative assessments are now allowed. The MAP assessment, used by NWEA, is a prime example. Attempts to incorporate it into proposed growth models of several states have been made.

If the primary focus of NCLB is on not leaving any child behind, then the focus will no longer be on those students slightly below proficiency, but all students, which will create a demand for “learning management systems” whose functions the previous generation of integrated learning systems provided. The new NWEA report is available at

www.nwea.org/research/achievementgap.asp.

New Study Recommends that USED Provide Greater Blending of Federal Funding Streams and Changes in the Ways Which Supplemental Educational Services Can Be Used to Increase After-School Programs at the High School Level

The Center for American Progress (CAP) calls for the expansion of after-school programs or other extended learning settings at the high school level. To do so, however, it recommends certain changes be made by USED including the “blending” of Federal funding streams -- such as Title I, 21st Century Community Learning Centers, and the Career Technical Education Act -- to be used to fund coherent after-school models. Moreover, recognizing that less than five percent of existing after-school program operators currently receive any supplemental

educational service funds, CAP recommends that USED should “rethink the ways in which SES funds can be used.”

Noting that only 10 to 20 percent of students eligible for SES actually participate, the new “pilot program” to allow 23 school districts to offer tutoring before the transportation option will not “address the magnitude of the problem.” CAP recommends that schools identified for improvement be allowed to operate after-school programs in which students eligible for SES could participate. Moreover, districts that have been identified for improvement would also be allowed to provide their own SES, if approved by the SEA. The report suggests that schools be allowed to apply, on a competitive basis, to access SES funding if they have a comprehensive plan approved by the SEA and demonstrate they will use effective, research-based practices and partner with resources outside the school. In our last TechMIS report we highlighted findings from a recent survey conducted earlier this fall of more than 2,000 after-school service providers, which found only three percent currently tap into SES funds. Moreover, USED appears to be encouraging more and more after-school programs, if they are “separate and distinct,” to provide SES even though the district is “identified for improvement.”

USED Official Reiterates States’ Role in Providing Guidance in Implementing Response to Intervention (RTI)

During the Annual Association of State Directors of Special Education Conference on November 12, Director Alexa Posney,

USED/Office of Special Education Programs, called for earlier and more comprehensive interventions following policy guidance from State Education Agencies (SEAs) to districts in implementing the Response to Intervention (RTI) approach, which is a subset of the “early intervening services” provisions in the recently re-authorized IDEA. As reported in Education Daily (November 22), her overall message was that most of the work “falls on states and that RTI is a conceptual framework, but how it is implemented is a local decision.” Based upon her experience in implementing special education programs at the district and state levels, she estimated that about half of students identified as special education are not; rather they are reading-impaired, but “they’ve been failing for so long they looked like special education (students).” She also argued that “IDEA and NCLB are really, for the first time, talking about one and the same thing,” confirming that implementation of RTI is a general education, not special education, responsibility.

While she reiterated the message, reflected in the August 2006 final IDEA regulations, that RTI was a “conceptual framework,” she did offer some “basic tips” to the state special education directors in the audience, including the need to:

- focus on the types of interventions which currently exist;
- identify students’ needs and plan “strategically” to meet those needs;
- base decisions on identifying students and selecting interventions on reliable data;

- continue to support overall program improvement in services which districts provide; and
- ensure that transition plans are included in students’ IEPs once they are placed in special education programs.

Lou Danielson who directs the Research to Practice group within the Office of Special Education programs at USED had additional suggestions for schools in implementing RTI approaches. As reported in Education Daily (November 28), he suggested that screening of students and tracking data begin when students start school and that weekly assessments be conducted and that the use of interventions begin early and be changed if the students are not responding in 5-6 weeks. He also suggested that parents need to be informed about the evaluation requirements when a student is moved into level 2 of RTI. Constant examination of assessment data to determine which students may need more assistance is critical.

The Office of Special Education Programs, headed by Posney (who until recently was the Kansas State Director of Special Education Programs), recently awarded a \$1.5 million grant to the University of Kansas to develop a model for implementing RTI. The four-year research effort is being conducted by the Beach Center on Disability at KU and will set up research/development sites in schools in Kansas and Illinois. According to Education Daily (November 10), Wayne Sailor, Associate Director of the Beach Center, noted that most schools use some forms of Level One and Level Two of the conceptual Three-Tiered Model and that the project’s primary focus would be on developing Third Levels of intervention

prior to referrals of students to special education programs.

During the drafting of the IDEA re-authorization, particularly in 2003-04, there were numerous attempts to require or encourage districts to use interventions under both EIS and RTI provisions that have been approved for use in Reading First, or that incorporated the Reading First criteria including all five “essential elements.” The final regulations provided much more flexibility for states and districts to decide what interventions to use, as noted in the August 7, 2006 TechMIS Special Report. In the final regulations, USED went out of its way to say that it would not recommend one intervention over another. As a result of this flexibility and the delegation of responsibility to SEAs in formulating specific policy guidance, implementation of early intervention services and RTI provisions are being conducted in a variety of ways in districts across the states. Relevant policies are still being formulated; however, in many districts with over-representations of minorities currently in special education programs, opportunities for firms with certain types of interventions continue to expand with upwards of \$1 billion of IDEA funds being re-allocated to other district offices responsible for implementation of early intervening services.

Education Funding and NCLB Re-authorization Implications Stemming from November 7th Elections

Some increase in education funding and the probable re-authorization of NCLB next

year are likely as a result of the November elections. With the approximately 230 Democrats being elected to take over the House in January and the 51-49 majority in the Senate (including two Independents who will caucus with Democrats), there is a distinct possibility that approximately \$2-\$3 billion in additional funding would be added to the FY 2007 education budget. Even before the election, the Republican leadership in both houses pledged, especially in the Senate, an additional amount of funds above the amounts proposed by the President. The FY 2007 Education Appropriation will not be seriously addressed by the lame duck Congress when it returns in December.

While Democratic leadership may hesitate to “bust” the budget resolution caps, other options, such as increasing the amount of “advanced funding,” or designating a portion of the increase as “emergency supplemental funding” which does not fall under the budget caps, could be used. If the continuing resolution continues through the end of February 2007, the new leadership will be in a better position to increase Federal education funding through various alternative options or mechanisms; this would likely mean no cuts (as was proposed by the House) in Title IID, Enhancing Education through Technology (E²T²) Programs and modest increases will be provided for in Title I and IDEA, both of which have suffered small cuts over the last year.

Senator Ted Kennedy, who will likely become the Chairman of the Senate Health, Education, Labor and Pensions (HELP) Committee and Senator Tom Harkin, who will take over the Senate Appropriations Subcommittee, have stated that their number

one priority for NCLB is to increase funding. Senator Arlen Specter, who will be the ranking minority member of the Subcommittee, has also called for increased education funding. David Obey, who will take over the House Education Appropriations Committee, is not only a polished veteran having headed the same committee for years prior to the Republican takeover twelve years ago, but also very tenacious and will fight for increased Federal funding to implement many of the NCLB mandates.

The election results also suggest an increased probability that NCLB will be reauthorized in 2007. The likely new Chairman of the House Education and Workforce Committee, George Miller (D-California), along with Senate Chairman-to-be Kennedy, both publicly stated their priorities: re-authorizing NCLB on schedule and increasing student loans and credit to make college more affordable. Outgoing Chairman, Buck McKeon, sponsored hearings this year on NCLB reauthorization. Both Kennedy and Miller have jointly sponsored bills to revise certain portions of NCLB, as has Senator Hillary Clinton (D-New York). Because Senator Kennedy and Congressman Miller, along with former Sub-committee Chairman Michael Castle (R-Delaware), were involved in drafting the NCLB legislation five years ago, they are more likely want to make targeted changes in specific NCLB provisions while maintaining the overall principles underlying the Act.

On the other hand, there may be strong pressures brought to bear by many of the newly-elected Democratic Representatives, who may want to make more significant changes, or even do away with NCLB. As

Jack Jennings, President of the Center on Education Policy, stated in a recent interview with Education Week (November 15), "Someone who is newly elected ... will have heard more complaints than praise for No Child Left Behind. They will want to voice the criticisms they have heard." Those 40+ new Democrats who may wish to change the law fundamentally may be joined by some of the remaining neo-conservative Republicans who will also seek significant changes. Charges of Federal intrusion into state and local education decision-making, prescriptive curriculum requirements, and related governance issues could be mutually acceptable and they could call for significant change.

At the state level, new funding initiatives, some of which were passed in propositions included on the November 7 ballot, might also result in increased state funding for specific types of initiatives. One or both legislative chambers in at least seven more states will now be controlled by the Democrats, who will control both chambers in 24 states, more than they have held since 1994. Also, for the first time since 1994, Democrats won control of the majority of governorships in 28 states. Democrats are in charge and many of the candidates supported increased state funding for existing or new pre-K Programs, while more than 20 called for increases in teachers' salaries. Over the last several years, while state funding for Pre-K and Early Childhood Programs has increased, the number of students served has increased even more, resulting in a net decrease in per-pupil state allocations by 5 to 7 percent. In addition to increases in state pre-K funding, some increases can be expected for governors' "pet projects" which could include after-school programs, tutoring for students

failing exit and related exams, and state compensatory education programs, as we predicted in the February 2006 TechMIS Washington Update.

New Initiatives and Increased Priorities of Some Existing Programs Will Be Critically Influenced by New Committee Chairpersons

Some new initiatives and renewed priorities of programs the Administration proposed to zero-fund will be influenced by the appointment of key Representatives and Senators as chairpersons of several committees. Most likely committee leadership and possible effects on certain programs and funding are highlighted below.

Congressman George Miller will likely be Chairman of the Education and Workforce Committee. He was one of the four key persons in drafting No Child Left Behind, has a big stake in its future, and has already proposed several key amendments along with Senator Ted Kennedy. The day after the election, Miller had his key staff set up meetings with other appropriate key Congressmen and their staffs to negotiate a number of changes. Miller remains a strong advocate of continuing the annual testing provisions and highly-qualified teacher requirements.

One of the new Appropriation Subcommittee Chairmen will be David Obey (D-Wisconsin), who previously served as head of the same committee up until 12 years ago. Obey will also be the Chairman of the full Committee on Appropriations in

the House. He probably has the best understanding of Federal funding formulas, including Title I and IDEA, and is probably the strongest advocate for increased funding of NCLB and related programs. He sponsored a number of pet projects which the Administration has attempted to kill, including the Comprehensive School Reform Demonstration Act which he slipped into the 1997 Appropriations as a "rider." He is also a supporter of Smaller Learning Communities. Through whatever means, he will likely ensure that funding for these programs, which has been cut by the Administration, will be restored, possibly even increased.

The likely chairman of the Education Reform Subcommittee will be Dale Kildee, who was in that position until 12 years ago, and directed hearings and debates during the drafting of the 1994 re-authorization of the Elementary and Secondary Education Act, now referred to as NCLB. One of Kildee's staffers, Alex Knock, now directs the NCLB Commission headed by former Governor Barnes of Georgia and former Secretary of HHS, Tommy Thomson. Associated with the Aspen Institute, the Commission has held a number of hearings across the country, compiling recommendations made by various groups. Knock was the key Democratic committee staffer involved in drafting NCLB and Reading First provisions. While a state representative and subsequently as a member of Congress, Kildee has always been a strong supporter of Title I and has maintained close contact with Title I directors and Federal program directors from Michigan and elsewhere. In addition, Kildee will work closely with Congressman Bobby Scott (D-Virginia), who also is a strong supporter of Title I. Newport News school district was one of

four pilot programs which were allowed to operate supplemental educational services prior to parent choice transfer options.

Within the Senate, two of the most powerful Democrats with responsibility for Education programs and funding will be Senator Ted Kennedy, who becomes the Chairman of the Health Education, Labor and Pensions Committee (HELP), and Senator Tom Harkin, who will once again take over the Appropriations Sub-committee, which funds education, HHS, and labor requirements. A big priority among these two leaders will be increased funding to implement NCLB provisions. Other Kennedy priorities will be making college more affordable, increasing Pell Grant funding, reducing student loans interest rates, and other matters. During a recent conference, a key legislative aide for Kennedy stated his priorities would be increased funding specifically for technology, expanding after-school programs, and streamlining the assessment provisions under NCLB, such as some new initiatives in California. Senator Harkin will also continue being a champion for increased Federal education funding for No Child Left Behind (NCLB) and for IDEA. For many years, he has been one of the leading proponents of full funding for IDEA which is currently about 17-18 percent -- far from the goal of 40 percent of total special education cost being paid for by the Federal government. Senator Harkin is also a major proponent for expanded use of technology, particularly for students with disabilities and the use of "universal design" principles in developing instructional software. He strongly supported the NIMAS provisions in the re-authorization of IDEA.

Council of Great City Schools Presents Recommended Changes during the Reauthorization of NCLB

In September, the Council of the Great City Schools presented its preliminary recommended changes in NCLB to the Commission on No Child Left Behind. Below are some of the highlights. Going further than other education associations, the Council recommended that national education standards in reading, math, and science be developed and implemented nationwide. These standards would be tied to international benchmarks and incentives would be provided to ensure full implementation by a target date, such as the year 2020. Noting that implementation thus far has focused on compliance with technical provisions that have little to do with instruction nor on the kinds of classroom practices that would actually meet the legislation's goals, the Council proposes to "recast the current sanctions in the Law around instructional intervention strategies to raise achievement rather than around punishment for failure." When a school enters the three-year "corrective action status," the emphasis would be on providing or implementing intervention strategies that have proven to produce results, including individualized tutorial sessions; districts would have to spend up to 30 percent of their Title I funds on these instructional strategies. Districts which have been identified for improvement would be allowed to continue providing their own supplemental educational services as long as they could demonstrate progress in increasing student achievement. Financial incentives would be allowed to encourage the best teachers to teach in low-performing

schools and to provide Federal incentive pay for “pay for performance initiatives.”

In the area of assessments, the Council recommends that states be required to “tether their tests to national standards” with a refocused emphasis on having state assessment results provided to districts in a timely manner and in such a form that the assessment data can be used to inform instruction. The Council would double Federal investment in applied research and demonstrations, particularly in the areas of adolescent literacy, English language learners, middle and high school reform, NCLB science requirements, effective instructional intervention systems, and alternative assessments for limited English proficient students and students with disabilities.

Similar to virtually all other national associations, the Council would allow states and districts to use “academic growth” in calculating adequate yearly progress. Where a particular subgroup of students does not meet AYP, sanctions would be applied for that subgroup of students rather than to the school as a whole.

And last, not unexpectedly, the Council recommends that funds be appropriated for the authorized levels for NCLB and particularly Title I, Title II, and Title III.

Survey of Employers Finds New Entrants to the 21st Century Workplace Are Deficient in Applied Skills, Particularly for Students Only with High School Diplomas and Suggests the Need to Refocus NCLB Priorities

A report conducted by the Conference Board, in collaboration with the Partnership for 21st Century Skills and other associations, found that over half of the 430 employer respondents felt that new entrants into the work place are deficient in the most important skills which they identified as oral and written communications, professionalism and work ethic, critical thinking, and problem solving. And, across all three education levels (i.e., high school, two-year college, four-year college), the five most important skills are applied skills, not basic knowledge. In addition to the above applied skills, making appropriate choices concerning health and wellness is a number one emerging content area for future graduates entering the workforce (76 percent), while another 73 percent felt creativity/innovation will increase in importance for future entrants into the work place.

Not unexpectedly, the greatest perceived deficiencies were among recent workforce entrants who had only completed high school. Over 40 percent were felt to be deficient in their overall preparation. Among the following three “very important” basic skills, 72 percent of respondents felt new entrants were deficient in writing English, 53 percent deficient in mathematics, and 38 percent deficient in reading comprehension. However, the greatest deficiencies were in applied skills such as written communications (80

percent); professionalism/work ethic (70 percent); and critical thinking/problem solving (69 percent). About 60 percent of the employer respondents did feel however, that high school graduates entering the work force were “adequate” in the area of information technology application, diversity, and teamwork/collaboration. While graduates from two-year colleges and four-year colleges had overall better deficiency rankings in both basic and applied skills, in one area in which employers felt skills were very important, almost a quarter of respondents felt that even four-year college-educated entrants were deficient in leadership, which was ranked as very important by over 80 percent of all respondents.

The survey also asked employer respondents, most of whom were directors, upon whom the responsibility should be placed for adequate preparation --- educational institutions or new entrants/students? Over 75 percent felt K-12 schools should be responsible for providing the necessary basic knowledge and applied skills. Only 19 percent felt that workforce readiness was primarily the responsibility of employers. Even though over 20 percent of respondents were from the manufacturing sector, only 1.2 percent felt that labor unions should be responsible for ensuring work readiness. In the past, in certain industries such as automotive, unions such as the UAW had been a major provider of employee training. About half of the respondents felt the responsibility for work preparedness should be the entrants themselves.

The findings from this survey strongly suggest the need to refocus education policy, such as No Child Left Behind, on applied

skills which are perceived to be important in the 21st century workplace. During a roundtable discussion of the findings and implications for policy, several reporters suggested the need for serious fundamental changes which may be difficult to achieve during NCLB reauthorization. As David Hoff noted in Education Week (October 18) in 2001, before NCLB was passed, the Business Roundtable in the U.S. Chamber of Commerce formed a coalition with over 50 other business groups and companies to ensure that the new Law would include all of the proposed testing and accountability provisions and sanctions. This coalition is apparently standing firmly on their previous position which has been buttressed by their hiring as lobbyists key individuals who actually drafted major provisions of NCLB.

Groups such as the Partnership for 21st Century Skills (which includes publishing companies) and education associations (such as the NEA and AFT) point to the need for a much greater priority being placed upon applied skills developed at the K-12 level. Other coalitions such as the Business Roundtable have identified different perceived needs and ways to meet them. For example, the Business Roundtable places its highest priorities on increasing the number of college graduates with degrees in math, science, engineering, or technology and, as Hoff notes, the Business Roundtable “hasn’t taken an official stance on the partnership for 21st Century schools’ proposal.” While most of these business coalitions in one way or another have a similar goal of ensuring high school graduates are ready for work or college and increasing the U.S. competitiveness in the global market, they differ in the priority means of achieving the goal. This may fracture the business’ united front and,

because many of these coalitions took a firm stand on certain NCLB positions, they are likely to be hesitant to change important NCLB provisions.

During a dinner conversation, one of the key drivers of the Partnership for 21st Century Skills mentioned an earlier parallel effort undertaken by the SCANS Commission which was headed by Dr. Arnold Packer with support from the U.S. Department of Labor and USED. The SCANS report, finally released in the early 1990s, provided recommended “foundations” and “competencies” which would be necessary in the 21st century workplace. The vast majority of states adopted or adapted the SCANS recommendations which were reflected in changes in state standards, especially for so-called “applied academics” and vocational technical education. Many observers attribute the successful implementation of many SCANS recommendations to the fact that several thousand employers across the country testified before the Commission which was seeking their buy-in to its recommendations. This resulted in grass roots initiatives by community and state business leaders to have states and, in turn, school districts and technical colleges implement SCANS recommendations.

For a copy of the Partnership report go to:
www.21stcenturyskills.org/documents/FINAL_REPORT_PDF9-29-06.pdf.

Gates Foundation Gives Nearly \$10 Million Grant to Communities in Schools to Expand Network of Non-traditional High Schools

In mid-November, the Bill & Melinda Gates Foundation invested \$9.9 million in Communities in Schools (CIS) to expand CIS's network of non-traditional schools beyond the State of Georgia. Currently, CIS operates 27 schools in Georgia specifically targeted at students who have dropped out -- or are at risk of dropping out -- of high school. The new grant is expected to allow CIS to open 12 more schools, known as Performance Learning Centers (PLCs), in four states -- North Carolina, Pennsylvania, Virginia, and Washington.

The CIS model has proven successful in supporting at-risk students with community resources and services, covering health, safety, and social needs, in addition to academic assistance. In each PLC, teachers and students work closely to develop rigorous individualized learning plans incorporating five "CIS Basics": (1) a one-on-one relationship with an adult; (2) a safe environment; (3) a healthy start; (4) marketable skills; and (5) giving back to the community. Approximately 85 percent of CIS students earn high school diplomas and more than 65 percent go on to post-secondary education.

CIS is a partner in the Alternative High School Initiative, a network of 100 schools, enrolling 6,500 students nationwide. Within the next few years, a total of more than 230 schools for out-of-school or at-risk students are expected to be part of the network.

California Update - December 2006

As reported in Education Daily, more than 91 percent of all California high school seniors passed the California High School Exit Exam (CAHSEE). However, significant racial achievement gaps still exist. Although 97.4 percent of White students pass the CAHSEE only 84.1 percent of Black students and only 76.4 percent of English language learners do so.

Also according to Education Daily, Governor Arnold Schwarzenegger has signed a bill that allows special education students in the Class of 2007 to graduate without passing the CAHSEE if they complete all other diploma requirements. The law affects only this year's seniors. California currently has no alternative test for special education students, but does allow some accommodations (e.g., extra time, large-print versions). The new law also requires the State to address the issue of alternative tests for special education students in future classes.

California voters approved Proposition 1D which authorizes \$10.4 billion in State general obligation bonds to provide aid to K-12 and higher education for the construction and modernization of education facilities.

A recent of valuation of the California High School Exit Exam found that only about half of all special education students in a Class of 2006 who were taught in general education settings passed the CAHSEE on their first try. Even more significant, less than ten percent of special education students taught primarily in special education classes were able to pass the first time. As reported in Education Daily, students who retook the exam in the eleventh grade showed only small gains. The evaluators recommended that the schools provide more support for IEP teams to help them make appropriate placement decisions.

As reported in Education Week, the California Charter Schools Association has begun a public awareness initiative to increase the number of parents who have access to charter schools. The Association's High-Quality Charter Grant program will award \$8 million in private funds -- most of it from the Walton Family Foundation -- to community groups in Fresno, Los Angeles, Oakland, Sacramento, and San Diego. This is in addition to \$3.9 million in Federal funds for

establishing charter schools. The Association will also create the California Charter Building Fund to provide below-market loans to help 25 charter schools build or improve facilities. The fund now has a total of \$50 million including \$10 million in Federal money. The Association's website will allow parents to find each of the State's approximately 600 charter schools that serve about 220,000 students. In the November elections, voters approved a \$10 billion school bond issue that will also provide funding to establish as many as 30 new charter schools.

Colorado Update - December 2006

As reported in the Rocky Mountain News, the Denver school district has received a five-year, \$2 million Federal grant to support the district's innovative merit pay plan, known as ProComp. The Federal funds will allow the district to expand ProComp and include principals in the merit pay structure. In a survey last Spring, 68 percent of principals indicated they were "in favor" or "strongly in favor" of such a pay plan.

Connecticut Update - December 2006

A recent study by the Connecticut Center for School change has shown that the State's poorest school districts tend to hire the least experienced teachers. Moreover the gap between wealth and poor districts when it comes to access to experienced teachers has grown in the past five years. High-poverty schools tend to have more teacher turnover and more difficulty filling jobs, as well as weaker support and mentoring systems for new teachers.

The Hartford Courant reports that 12 Connecticut school districts have, for the fourth consecutive year, failed to make adequate yearly progress (AYP) under the Federal No Child Left Behind Act. Included on the list are the State's three largest and poorest districts -- Hartford, Bridgeport, and New Haven. These districts could face restructuring or curriculum overall. Nine other districts have missed AYP for four years with specific groups of students (e.g., students with disabilities, English language learners, racial minorities).

Delaware Update - December 2006

Concerned about the State's low graduation rate, Delaware officials have established a number of new initiatives such as evening classes, college scholarships, and specialized programs to cut the dropout rate. As reported in the Wilmington News Journal, five Delaware schools are pilot testing "student success plans" for all of their students. The five-year plans cover the four years of each student's high school career plus the year after graduation and pairs each student with an advisor. Beginning with the Class of 2006, high school graduates are also eligible for the Delaware SEED (Student Excellence Equals Degree) scholarship program for in-State Associate degree programs.

An analysis of student scores on the Delaware Student Testing Program (DSTP) shows that third-grade students who score at the lowest level on the DSTP math test had a 71 percent chance of still scoring at the bottom in the eighth grade. The results of the DSTP analysis has led to discussions about the need for more professional development in math for elementary teachers and the appropriateness of the test for special education students. Many Delaware educators believe an alternative assessment is needed.

Florida Update - December 2006

Continuing a trend noted earlier this year, Florida, this Fall, has had its smallest increase in K-12 student enrollment in several decades. As reported in Education Daily, nearly half of the 67 school districts in the State show smaller enrollments and almost all of districts with larger enrollments had increases of less than 5 percent. The changes in enrollment could mean a significant shift in State educational funding, although districts with enrollment declines will receive funding for half of the lost students for one more year. The slowing of district growth has been attributed to recent hurricane damage (and its attendant rise in insurance costs) as well as to increases in property prices and taxes.

According to Class Notes, the Florida State teachers union has challenged the STAR program, arguing that the State did not follow the appropriate process. The union wants to use the funds to increase teacher base pay.

A tentative new contract agreement in Dade County would give district teachers in immediate raises of between two and six percent. Education Week reports that the agreement would also increase the salaries of starting teachers from \$34,200 to \$36,250. The agreement must be approved by the school board at its December 13 meeting.

Georgia Update - December 2006

A new Georgia program is intended to put a full-time educator dedicated to dropout prevention in every high school in the State. Budgeted at \$50 million this fiscal year, the program has identified more than 40,000 second-through fourth-year high school students as not being on track to graduate with their classes. As reported in Education Week, Governor Sonny Perdue has indicated that in January, he will request an additional \$20-25 for middle school coaches. Recently, the State has taken other actions to cut the dropout rate including the requirement that students stay in school to keep their driver's licenses and creating ninth-grade academies for struggling high school freshman. Moreover, the Georgia Virtual High School, established in 2005, provides students with additional opportunities to take the courses they need for graduation.

Idaho Update - December 2006

The Twin Falls Times-News reports that Idaho has established a program called special Ed>Teacher Program intended to ease the certification process for special education teachers. It will allow paraprofessionals to earn their Bachelor's degree in special education, the Exceptional Child Certificate, and a teaching endorsement through five of the State's universities. Most of the courses will be available online. Some Idaho schools also offer incentives for people considering special education careers including signing bonuses and education financial assistance.

Voters in Idaho have approved Proposition 1 which increases State funding for public K-12 schools by increasing the sales tax by percent or by an alternative source to be determined by the legislature. The Proposition establishes a local public schools investment fund to support classroom instruction, to improve local schools, and to require each district to compile an annual accountability report on the use of the increased funding

Illinois Update - December 2006

As reported in Chicago Tribune, the Chicago school district is considering administering grade-level writing tests to determine students' eligibility for grade promotion. Scheduled to be implemented as early as the 2007-08 school year, but the plan has not yet determined the grades to be tested or the tests to be used. Currently, third, sixth, and eighth graders are required to pass State reading and math exams in order to be promoted. The final district proposal is expected to include professional development for teachers and strategies for improving writing instruction.

The Chicago-Tribune also reports that the Chicago school district has received a \$27.5 million Federal grant to implement a merit pay plan for teachers in high-need schools. To begin next school year, the program will allow the district to reward teachers and principals who perform well in hard-to-staff schools. The Chicago Teachers Union has expressed muted support for the program.

The Chicago Teachers Union has filed suit to stop the use of public funds for the Chicago Virtual Charter School (CVCS), operated by K-12, Inc. The lawsuit claims CVCS is "home-based" and, therefore, is in violation of State law. K-12, Inc. argues that the school has a physical facility should be classified as "Internet-based," because it has a structured curriculum with teachers, administration, and public school accountability.

Indiana Update - December 2006

As reported in The Indianapolis Star, Indiana hopes to have a revised State assessment and a Spring testing timetable. The Legislature is considering a plan by which the ISTEP-Plus would be converted to a system of shorter, more frequent tests in the early grades and Spring testing in grades 3-8 for English and math. The existing tenth grade graduation tests would be replaced with end-of-course exams in English and Algebra I, accompanied by a mandatory test for juniors and seniors to demonstrate readiness for college or employment.

The Indianapolis Star also reports that the Indianapolis school district has been hurt financially by the establishment of charter schools within the district. Having lost as many as 1,000 students to charter schools, the district has called upon the City's mayor to call a moratorium on the creation of any new charter schools. The Mayor argues that the City's 18 charter schools are an alternative to failing public schools and that they may have helped spur the district toward school reform.

Iowa Update - December 2006

Governor-elect Democrat Chet Culver has rejected the plan of outgoing Republican Governor Tom Vilsack to link high pay for public school teachers to student performance. Last year, the State legislature allocated an additional \$210 million over three years for teacher raises and this month, a group of education and business leaders -- known as the Institute for Tomorrow's Workforce -- recommended establishing a pilot pay-for-performance system. The incoming Governor has proposed an additional \$20 million for teacher salaries but not for performance-based pay.

The Des Moines Register reports that the Iowa Board of Educational Examiners is considering a proposal to allow a professional from a non-educational field to teach in grades 7-12 for one year. The proposal is intended to help districts that have been unable to fill positions with fully licensed teachers. The "Distinguished Fellow" teachers must have at least an undergraduate degree, content requirements for a secondary teaching endorsement, and three years of work experience.

Kansas Update - December 2006

The Kansas City Star reports that 36 Kansas school districts and 195 schools (57 in the Kansas City area) failed to make adequate yearly progress (AYP) under the No Child Left Behind Act, almost twice as many schools as a year ago. Education officials attribute the increase to the higher numbers of students taking State assessments.

Education Week reports that a legislative audit of Kansas' school funding system for at-risk youth has identified inaccuracies in the way the \$111 million program allocates funds. The audit says that as many as 23,000 students (17 percent) receiving free lunches are ineligible because their family incomes are too high. Districts have difficulty determining eligibility because they can not inspect family finances. The audit estimates that \$19 million is lost because of the free lunch inaccuracies.

The Wichita school district is implementing a system-wide high school reform initiative designed to improve academic performance. As reported in Urban Schools, the district's high schools will have a revised high school curriculum and new instructional and assessment strategies based on high standards and best practices. The schools will integrate technology into their curriculum, operate smaller learning communities, monitor individual student progress regularly, and develop professional learning communities for teachers and other staff.

Louisiana Update - December 2006

According to Education Daily, 40% of Louisiana's schools met performance benchmarks in the 2005-06 school year. More than 200 schools were not included in the results because of hurricane damage. Of the State's 1,126 schools, 451 were identified as in need of "academic assistance".

Education Week reports that the New Orleans school District (Orleans Parish), in conjunction with the State-operated Recovery School District, plans to operate an Early Childhood and Family Learning Center at an elementary school in the city. The Center would provide childcare, preschool, health, and adult literacy programs, as well as teacher training. It is expected that the Center will be set up in the hurricane-damaged Mahalia Jackson Elementary School which will require millions of dollars in repairs.

Maryland Update - December 2006

As reported in Education Daily, the Maryland Department of Education has named two new appointees to the Intensive Management Capacity Improvement Team (IMCIT) that is working to improve special education in Baltimore City schools. The new members are Raymond Brown of the Howard County Public Schools for special education financing and Colleen Duffy of Anne Arundel County Schools.

The Baltimore Sun reports that Maryland is offering a number of online classes for students who are at risk of failing the State's high school exit exams. Starting with the Class of 2009, Maryland students will be required to pass four High School Assessments (HSAs) in order to receive a diploma. Similar to the existing online SAT prep classes, the new High School Assessment classes will be available to any student who has failed the tests or who need extra help to take the tests. Currently, Algebra and American Government classes are online, with Biology scheduled to be available this Winter and English to next Fall.

Michigan Update - December 2006

Michigan's Freedom to Learn (FTL) program is a Statewide effort, now in its third year, to provide students and teachers in low performing middle schools with notebook computers, wireless connections, and new instructional models. According to Technology & Learning, more than 23,000 students and 1,500 teachers in 100 school districts have been given HPnx9010 notebook computers. The State has dedicated \$7.5 million for program start-up and additional Federal and state funds are supporting project implementation -- at a cost of \$1,040 per notebook package. FTL is also creating a One- to-One Institute, a national nonprofit organization intended to reform learning through one-to-one computer-based programs.

The Detroit News reports that Michigan plans to administer its new assessment, the Michigan Merit Exam, next Spring, even though it has not been approved by the U. S. Department of Education (USED). Based upon the ACT college entrance exam, the new test will be given to high school juniors. Michigan education officials are certain USED will accept the exam if the State provides documentation of the test's validity and alignment with State content standards.

Minnesota Update - December 2006

The Star Tribune reports that significant drops in the number of Minnesota students who were proficient in reading and math as a result of the new, more rigorous 2006 State tests, called the MCA-II's. Statewide, the percentage of students scoring as "proficient" dropped from 79 percent in 2005 to 72 percent; and, in math, the decline was from 76 percent to 58 percent. Even worse, only 32 percent of high school students scored as "proficient". Because of the lower student scores, 483 Minnesota schools have been identified as "underperforming", up from 247 the year before.

The Minnesota Private College Council has proposed a plan by which the State would pay low-income and minority students to take college-prep classes. As reported in the Pioneer Press, the Council called on the State to allocate \$50 million for the purpose, arguing that, given the changing demographics of Minnesota schools, it is crucial that more minority and low-income students go on to college.

Nebraska Update - December 2006

On Election Day, Nebraska voters approved an amendment to the State constitution that creates an early childhood education endowment fund and allocates \$40 million of perpetual school funds to the endowment. These funds would revert to the State's school districts if the annual income from \$20 million in private funds is not committed to the endowment by July 1, 2011.

The Omaha school district has implemented an initiative to improve literacy instruction in its 62 elementary schools. According to Urban Schools, teachers and other staff will receive training in helping students obtain the strategies and skills for academic literacy.

Nevada Update - December 2006

Voters in Nevada have approved a constitutional amendment that requires the State legislature to fund operations of public K-12 schools before any other part of the State budget for the next two years is spent.

The Las Vegas Sun reports that cheating on State assessments has increased in recent years as the minimum passing score rises over the years. Although Nevada has a student honor code, State officials believe it doesn't go far enough and have called for strong, uniform penalties for violators.

New Jersey Update - December 2006

Education Daily reports that New Jersey is making available \$15 million in grants to schools for the establishment or expansion of services to autistic students. The State estimates that there are about 7,400 students in the State who have been diagnosed with autism. Grant applications are due on December 14.

As reported in The New York Times, the financing system for New Jersey's so-called Abbott school districts has come under heated criticism from educators and State officials. The 31 poor districts within the Abbott structure have received a total of \$35 billion in special State aid over the past decade. This year, Abbott districts serve a total of 286,500 students -- about 20% of the total State enrollment; the districts, however, received \$4.2 billion this year, more than half of all State aid. Average per-pupil spending in Abbott districts is more than \$14,000 compared with \$10,500 Statewide. The legislature is expected to propose a new school aid formula that allocates to all districts based on their numbers of poor students.

As reported in The Newark Star-Ledger, New Jersey has rejected an \$800,000 grant under the Federal abstinence-education program. New Jersey has accepted the Federal money since 1997. The grant's requirements, according to State officials, are contrary to the State's sex education and AIDS education curricula. Under the grant, teachers would not be allowed to discuss contraception. California, Maine, and Pennsylvania have also rejected the grant this year.

New Mexico Update - December 2006

The New Mexico Business Roundtable for Education Excellence has proposed a "model" high school in which students are challenged, the curriculum matches individual student needs, and instruction is flexible in both pace and schedule. Among the Roundtable's other recommendations is the establishment of collaborative regional networks by which educators throughout an area can work together to expand student access to the best instruction. In keeping with the Roundtable's recommendations, the State Superintendent has proposed to raise the dropout age from 17 to 18 and to increase graduation requirements for New Mexico high school students.

New York Update - December 2006

In recognition of the high costs of special education in the State, the New York Board of Regents plans to revise the formula by which State aid -- almost \$18 billion per year -- is given to local school districts. As reported in Education Daily, the State could add as much as \$1.48 billion in the 2007-08 school year with 82% of the new funds going to high-need districts. A total of \$121 million is targeted specifically for special education services. The proposed funding increase is intended to link more closely the State funds with the actual cost of educating all types of students, including high-cost special education students.

As reported in Education Week, the Inspector General for the U. S. Department of Education (USED) has determined that New York State should not have awarded Reading First grants to eight school districts (including New York City) and one charter school. According to the IG report, the State should return to USED \$118 million of the \$216 million in Federal money already awarded because used could not provide evidence that any of the participating districts met all of the requirements of the program. The State counters by saying Reading First guidance from USED went beyond the requirements of the law and that USED's consultants to the State had vested interests in specific approaches or products. New York City officials argue that they have evidence their Reading First programs are working. The City says, for example, that more than a quarter of the first-graders in their Reading First schools met comprehension standards in 2004-05 compared with only 3 percent the year before. State officials plan to appeal some of the IG's findings and the requirement that the funds be returned to USED.

Education Week reports that the New York Court of Appeals has cut back -- by nearly \$2 billion -- on the amount of new funds the State can spend on New York City's schools. The November decision changed lower court rulings and rejected arguments from the Campaign for Fiscal Equity (CFE) that that City's schools needed \$4.7 billion more each year. The ruling puts pressure on the State legislature and the incoming Governor, Eliot Spitzer, to reform the State's school funding system.

The New York City school district plans to grade each of the City's 1,450 schools on an A

through F scale. As reported in Class Notes, each school's grades will be largely based on the school's progress on standardized tests, combined with attendance and graduation rates.

North Carolina Update - December 2006

Released in early November, results from the North Carolina State assessment for 2005- 06 indicated that more than a third of the States 2,353 public schools failed to meet expected gains. As reported in The News and Observer, only about 10 percent of the schools made "strong academic progress". The decline in performance may be attributable to higher standards, particularly in mathematics. Passing grades dropped dramatically on math tests in third- through eighth-grades -- from near 90% the year before to less than 70% last Spring.

Education Week reports that voters in Wake County (Raleigh) approved a \$970 million bond issue for the construction new schools in the rapidly growing district. Currently with an enrollment of 128,000 students, Wake County expects to grow to nearly 170,000 students by 2010. Supporters of the bond measure indicate that the new construction funding is only the first of several bonds necessary to fund more than \$5 billion in school construction over the next 14 years.

North Dakota Update - December 2006

Because of the costs involved, North Dakota does not offer an alternative State assessment for students with limited English proficiency. As a result, districts with high populations of English language learners -- like Fargo and West Fargo -- fail to make adequate yearly progress under the Federal No Child Left Behind Act. North Dakota, in a partnership with other states headed by Wisconsin, are seeking a grant to develop such an alternative test.

Voters in North Dakota have approved an amendment to that State constitution which requires that the States permanent trust funds be managed so as to preserve their purchasing power and to provide stable distributions of funds to beneficiaries. The amendment changes trust fund distributions from interest and income earned by a fund to distributions based on a fund's average value. It also requires all revenue produced by a fund to be deposited in the fund.

North Dakota's Commission on Education Improvement has approved a major restructuring of the State's K-12 education funding which is to be included in the Governor's budget for the 2007-09 biennium. The new plan puts all education funds into a single formula and eliminates the mill levy deduct, a complex system by which wealthy districts subsidize poorer ones. The plan includes \$60 million in new education

Ohio Update - December 2006

According to The Cleveland Plain Dealer, a coalition of business leaders, education officials, and legislators -- known as Tapping Ohio's Potential -- has strongly supported outgoing Republican Governor Robert Taft's plan for more rigorous high school graduation requirements. Under the plan, students who want to attend four-year universities in the State must pass, in addition to the four years of English already required, four years of math and three years of lab-based science. All students would be required to take the Ohio Core curriculum through the 10th grade. Currently, less than a third of Ohio's high school students complete the proposed, more rigorous curriculum. Governor-elect Ted Strickland and other Democrats have criticized the plan.

Pennsylvania Update - December 2006

As reported in Urban Schools, the Philadelphia school district has, in partnership with the Microsoft Corporation, established the School of the Future. Costing \$46 million, the new 700-student high school provides a state-of-the-art facility and a rigorous academic program that has access to Microsoft resources in a range of areas including data integration, collaboration and communication, and leadership development.

As reported in the Philadelphia Inquirer, the Philadelphia school district will receive an annual infusion of \$5 million from proceeds of the State's slot machine gambling fund. The funds will not be available until next fiscal year and, therefore, will not help alleviate the districts' \$73 million deficit this year. The additional funds are intended to be spent to upgrade classrooms and to purchase laptop computers and whiteboards for middle and high schools.

Education Week reports that Pennsylvania is promoting new academic standards which detail the knowledge and skills students should have when choosing a career. State officials hope the new standards -- approved last summer -- will reemphasize the goal of the preparing students for careers as well as improving academic performance. Among the things student should learn under the standards are how to write a business letter, performing well in job interviews, and the importance of dependability and punctuality.

South Carolina Update - December 2006

The Charleston Post and Courier reports that South Carolina is planning to expand its bonus program for schools that improve student performance in high-poverty schools using a \$34 million Federal grant. Currently, the Teacher Advancement Program provides incentives for teachers at 16 schools in the State. The new funding will expand the program to 23 more schools.

The State.com reports that about three quarters of last year's tenth graders in South Carolina passed both sections -- English/language arts and mathematics -- of the State's high school graduation exam, up slightly from the year before. Students take the exams in their sophomore years and those who fail have opportunities to take them a number of times before their scheduled graduation.

After any contentious election campaign and a recount, Democrat Jim Rex was elected State Superintendent over Republican Karen Floyd by a margin of 455 votes out of 1.1 million votes cast. A former high school English teacher, Mr. Rex strongly opposed such school choice measures as allowing tax credits for private school tuition.

Texas Update - December 2006

A total of \$95.5 million in Texas Educator Excellence grants will be awarded to more than 1,100 schools Statewide based on population and academic excellence. To be eligible for grants, a school must be in the half of schools in the State with the highest portion of high-risk or low-income students. The three quarters of the total amount will be used for teacher awards; the remainder will go toward professional development or rewards for other personnel. School grants will range from \$40,000-\$300,000 depending on the school's enrollment. Individual teacher rewards are expected to be between \$3,000 and \$10,000 based on quantifiable measures of student achievement.

The Houston Chronicle reports that the graduation requirements for Texas' high school students will be made more rigorous next year with the addition of one more year each of math and science; four years of each will be required, in addition to the current four years each of English and social studies and two years of a foreign language. The new math requirement has been eased somewhat with students allowed to take a supplemental course known as "math models" after Algebra 1 and Geometry, but before Algebra 2. More challenging courses -- pre-calculus, AP statistics, and AP computer science -- would also be available.

As part of House Bill 1 being considered in that State legislature, the Texas Education Agency (TEA) is charged with establishing an online clearinghouse of information relating to best practices for use by school districts. The clearinghouse would collect and evaluate specific practices in the areas of instruction, including curriculum, scope and sequence, compensation/incentive plans, compensatory education, programs for English-language learners, and instructional technology (including online courses). The TEA will issue a Request for Proposal seeking a contractor to develop and maintain the clearinghouse.

The Texas State Board of Education has approved the new curriculum requirement that high school students, beginning with the entering freshman class in 2007-08, must take four years each of mathematics and science compared with the three years previously required.

A number of Texas school districts are in the process of replacing their traditional hardbound textbooks with electronic versions. As reported in eSchoolNews, Plano and Irving have already begun introducing eBooks into their classrooms. Midland is said to be moving away from print textbooks entirely. Lancaster and Forney recently received voter approval for a shift to electronic textbooks. Forney's school bond provides \$11.8 million to provide students with laptops; the district expects to be using only eBooks within two years. Many districts give students print textbooks to take home but use electronic books in school.

Utah Update - December 2006

According to The Salt Lake City Tribune, 18 percent of Utah's schools last year failed to make adequate yearly progress (AYP) under the No Child Left Behind Act compared with only 13 percent in 2004-05. State officials are perplexed by the drop in performance. Test standards did not increase; however, there were differences in the way the scores were analyzed from year to year. The State's two largest districts, Alpine and Jordan, showed higher numbers of schools missing AYP, mostly because of the low scores of special education students (in both districts) and of English language learners (in Alpine).

The Salt Lake Tribune also reports that the Utah legislature's Education Interim Committee has called for a complete revision of the State's mathematics standards, although some lawmakers felt the decision should be left to educators. Two separate reviews of the curriculum, earlier this year, called for revisions in the standards but not a complete overhaul. The State Superintendent has taken the controversial "Investigations" off the list of approved primary math textbooks because, in large part, of parent protests.

Washington Update - December 2006

The Seattle Times reports that 12 Washington school districts have sued the State, arguing that more than 12,000 special education students are not receiving adequate funding. The districts claim that the State's financing system violates Washington's constitutional requirement to fully fund basic special education services. The State says the combination of State and local funding is sufficient; the districts argue the funding is at \$130 million below what it should be.

As reported in Education Week, 2,300 members of the States Class of 2008 retook and passed the tenth-grade assessment last summer, meeting one of the key requirements for graduation. Overall, of the students who have taken all three parts of the WASL at least once, 87 percent have passed reading, 86 percent have passed writing, and 58 percent have passed mathematics. The State will study the results of student retests to determine the effectiveness of local remediation programs which have been funded by the State for \$28 million through the end of 2007.

The Seattle Times also reports that only about a quarter of the high school students who retook the math portion of the Washington Assessment of Student Learning (WASL) in August passed the exam. This means that 42% (29,000 students) of the Class of 2008 have not yet passed the test required for graduation. Test results continue to show significant disparities along racial lines. More than 60% of White and Asian-American students have met all standards for graduation, compared with only 36% of Native Americans, 30% of Hispanics, and 29% of African-Americans.

As reported in The Seattle Times, Washington Learns, a coalition of education and political leaders, has issued a report that addresses the fundamental problems facing Washington schools: closing the achievement gap between White and minority students, focusing on math and science, and personalizing education. Although the report has been praised by educational advocacy groups, it did not detail how the new programs would be paid for. The State Superintendent of Public Instruction as submitted to the Governor a \$1 billion proposal to fund all of the Washington Learns K-12 programs, but he acknowledges that the State will not fund the programs right away.

Wyoming Update - December 2006

The Casper Star-Tribune reports that the Campbell County School District is attempting to establish a virtual elementary school using the curriculum and materials from K12, Inc., a firm that operates online schools in 15 other states. The State has been assisting the district in its effort. However, K12, Inc. has tried to market the schools to families Statewide and the State has expressed the strong view that the Campbell County virtual school should limit its enrollment to students from within the county.

Based upon a State Supreme Court ruling, the Wyoming electorate has voted to repeal the State's current limitation on the amount of property tax revenues that may be distributed through the school foundation program from wealthier to poorer districts in the State.