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MEMORANDUM

DATE: March 16, 2011

TO: TechMIS Subscribers

FROM: Charles Blaschke and Blair Curry

SUBJ: Reform Implementations; ESEA Reauthorizations; Continuing Resolutions; Technology Use for Increasing K-12 Productivity

It is very likely that another Continuing Resolution through April 8th will be passed and signed which will include about $6 billion in additional reductions in FY 2011 and/or rescissions. None of the agreed upon cuts, however, affect USED education program appropriation levels for this year. On the other hand, the previous Continuing Resolution through March 18th did include about $900 million in FY 2011 education funding, the largest of which was the elimination of the funding for the Striving Readers program in FY 2011 funding -- about $250 million. However, as noted in a Washington Update, USED was able to use approximately $180 million of FY 2010 funds to move ahead soliciting applications from states due May 8th for competitive grants, under the condition that the grants are contingent on the availability of congressionally appropriated funds. In addition to Striving Readers and Even Start, several "earmarks" were also eliminated such as Reading is Fundamental and The National Writing Project. Some observers feel that literacy has now become a much lower priority for the Obama Administration, with perhaps a higher priority being placed on STEM and related activities. Between now and April 8th, serious negotiations for the FY 2011 appropriations have begun for a continuing resolution or full appropriations. We will report on the final results based on our analysis of implications for most TechMIS subscribers.

This TechMIS issue includes a Special Report on Secretary Duncan's recent letter encouraging Governors to use "smart ideas" and take advantage of existing ESEA "flexibilities" to meet local district needs which have been created by reduced state and local funding. In addition to a document outlining general principles for making "wise" budgetary decisions, another document describing several existing "flexibilities" in which redirection of Federal funds are allowable and could be used to address district problems created by reduced state and local funding. The TechMIS Special Report includes a number of other current flexibilities which, for whatever reason, were not included in the USED "flexibility" document. TechMIS subscribers should ensure sales staff are aware and can communicate to district staff where appropriate all flexibilities. Some governors, particularly the new governors, may "pressure" their SEAs to take advantage of such "flexibility" opportunities which could benefit TechMIS subscribers.

The Washington Update includes:

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  A new report from the Center on Education Policy on states' progress implementing reform strategies which suggests what levels -- SEA or district -- firms may wish to target with products and services that can be used to implement different reform initiatives. CEP also identifies those initiatives which are likely to "hit a wall" because of state funding crises next year. This report's findings are based on interviews conducted through November 2010 with SEA deputies or their designees.

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  Following the above report released in early February, CEP then released another report based on an additional survey conducted through January with State Title I Directors entitled "Early State Implementation of Title I School Improvement Grants Under the Recovery Act." This particular report amplifies and updates some previously reported findings.

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  The two Common Core Standards assessment state consortia have received an additional $15 million each to develop instructional and professional development materials, tools, and "curriculum units" to help consortia member states adopt their respective common core aligned assessments. The two budget amendments approved by USED in January are unclear about how publishers and other vendors could participate in the two add-on projects.

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  USED has announced new priorities for its discretionary grant programs which now included a new Priority 6 for "technology" and a slightly revised priority 16 "improving productivity" which now includes "innovative and sustainable uses of technology." Since December 2010, Secretary Duncan and other high-level officials have called for increased use of technology to increase K-12 productivity in numerous "bully pulpit" speeches and documents.

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  The latest USED report on how Title IIA Teacher Quality $2.5 billion funds have been used shows an increase over the last few years in the portion used for professional development. About $250 million in 2009-10 was used for professional development in non-academic/subject areas, including differentiated instruction, classroom management strategies, and Response-to-Intervention approaches.

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  USED announces invitations to SEAs to apply for $178 million in FY 2010 funding under Striving Readers competitive grant, which includes definition of "Evidence-based" to replace scientifically-based research (SBR).

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  During its February annual convention, AASA called for "regulatory relief immediately and full funding for IDEA if a comprehensive ESEA reauthorization will not occur this year." In mid-March, President Obama is expected to strongly encourage Congress to pass ESEA "fix-it legislation" similar to proposals by both Democratic and Republican Senate leaders.

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  Miscellaneous items include:

  a) Enrollment in community colleges increased 3.2 percent last Fall over the previous year which is significantly less than the 11 percent enrollment increase the year before.

  b) As of February, about 25 percent of the $10 billion Education Jobs fund (EduJobs) has been obligated by states to help districts train staff or otherwise provide funds to cover employment related expenses in K-12. EduJobs funds must be obligated by September 30, 2012.

  c) In the March 2nd Special Edition on Response-to-Intervention, Education Week includes a display of all states indicating which states require RTI versus discrepancy models and other approaches to identify students with disabilities. In the four states requiring RTI, districts are not supposed to implement such approaches until all teachers in all schools have the capacity to fully implement RTI approaches.

  d) Student coaching appears to be a cost-effective way for increasing college student retention and progress according to a recent study by a Stanford University professor and staff.

Over the last month or so, numerous state policy changes have been proposed, particularly related to tenure, teacher dismissal, and collective bargaining, and other teacher-related policies, many of which have direct implications for some TechMIS subscribers. New budgets have been proposed but have yet to be acted upon in many states. As a result, we have decided to include state profile updates on or about the first week of April as smoke begins to clear on legislative proposals and budget levels.

If anyone has any questions regarding the above, please contact Charles Blaschke directly.

Special Report:
Secretary Duncan Encourages Governors to Use "Smart Ideas" and to Take Advantage of Existing ESEA "Flexibilities" to Meet Local District Needs Created by Reduced State and Local Budgets

A Technology Monitoring and Information Service (TechMIS)
SPECIAL REPORT

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March 16, 2011

During a March 3rd conference call, Secretary Duncan referred to his letter and attached reports to all Governors sent earlier that day urging them to use "smart ideas" to increase productivity in K-12 education programs and strongly encouraging them to take advantage of existing "flexibilities in ESEA" to ensure that Federal ESEA funds are used wisely to meet priority needs created by state and local budget cuts. In his December speech before the American Enterprise Institute on the "new normal" he called for getting more results with less dollars and otherwise to increase productivity, for example through the use of technology, by doing away with barriers such as use of "seat time" for measuring results (see December TechMIS Washington Update). Since then, Secretary Duncan has been on the "bully pulpit" speech before a wide variety of audiences "Smart Ideas to Increase Education Productivity and Student Achievement" spells out several basic principles, including:

- Putting student outcomes first by evaluating all policies and practices against this "ultimate bottom line."
- Investing in what works and not what doesn't, including shifting resources or avoiding cuts to programs or practices with greatest evidence of effectiveness while minimizing harm to students.
- Sharing ideas and learning from success by "reaching out to each other and to outside experts in order to put those approaches and practices in place in more schools and to identify areas for improvement."
- Working collaboratively with stakeholders who increase the likelihood of success and sustained implementation.

Regarding the "smart" use of technology, the document suggests important alternatives to consider, including:

- Expanding access to virtual and blended learning opportunities that "allow for quick intervention in struggling schools and programs."
- Utilizing open online education resources or digital textbooks which "can provide lower cost and up-to-date materials to inform and support instruction."

- Moving from paper-based to electronic records that can "help district officials reduce waste and better target resources on education improvement."

Also enclosed in the letter to Governors was a second report entitled, "Flexibility In Using Federal Funds to Meet Local Needs" which highlights some of the current "flexibilities" under ESEA/NCLB provisions which many districts are not taking advantage of for reasons ranging from ignorance to fear of future Federal and state potential audit exceptions to bureaucratic inertia. Over the last decade, as such "flexibilities" were announced officially or unofficially by USED, we have identified the implications -- mostly positive -- for the vast majority of TechMIS subscribers who have helped districts take advantage of such flexibilities. It's worth reiterating several of these included in the "flexibility" document that was sent directly to Governors may encourage or even mandate SEAs and more importantly districts to take advantage of them in the immediate future. This could create more possible opportunities for firms.

Several of the most important "flexibilities" relate to the use of different Federal funds in Title I schoolwide programs. One such flexibility encouraged in "Flexibility in Using Federal Funds to Meet Local Needs" sent to Governors is the "consolidation" or "combining/comingling" of Federal, state, and local education funds in schoolwide programs (i.e., schools with 40 percent or more students from low-income families), to redesign the schools "entire education program to improve educational achievement for all students, including English language learners and students with disabilities; this allows the school to use resources effectively and efficiently to undertake comprehensive reform." The funds that can be "consolidated" or "combined" include Title I and other ESEA funds, IDEA (with certain limitations), and Perkins funds, along with state and local funds. As the document states, "This means that all funds are treated as if they are a single pool of funds -- individual program funds that can be used flexibly to support any activity of the schoolwide program that is identified in its schoolwide plan. Schools that fully consolidate all funds are subject to less burdensome Federal reporting requirements." If a schoolwide program combines such funds, it is "not required to meet most of the statutory and regulatory requirements of the consolidated Federal programs, provided the school meets the intent and purposes of those programs." In addition to not requiring schools to maintain separate fiscal accounting records that identify how the individual Federal funds (which are consolidated) were spent, the schools do not have to maintain "time and effort" records for employees. The documents states, "Finally, an LEA with a schoolwide school is allowed to comply with the Title I supplement not supplant requirement by demonstrating that it distributes state and local funds fairly and equitably to the schoolwide school without regard to whether the school is receiving Federal funds." As early as 2002, Chairman of the Senate HELP Committee Senator Ted Kennedy, agreed with a GAO report which recommended that schoolwide programs be exempt from the "supplement not supplant" requirements; however, the schoolwide school must only meet "comparability" requirements, as noted above.

One positive implication for firms is that schoolwide programs that "combine/consolidate" Federal, state, and local funds offer a critical mass for purchasing products and services that benefit potentially all students in such a school with a priority placed on those with highest education needs based on a schoolwide assessment. One important barrier, however, are SEA policies which "discourage" such consolidations by continuing to require rather detailed reporting for <u>state</u> auditing purposes. Some SEAs, however, have begun to encourage such consolidations in schoolwide programs as districts can assign teachers, who otherwise might be dismissed because of state and local budget cuts, to Title I schoolwide programs by rewriting their job descriptions to become, for example, "reading coaches" or "math intervention experts." As we noted in the February TechMIS Special Report, USED Assistant Secretary Alexa Posney has strongly urged more SEAs to encourage districts to take advantage of "consolidation" opportunities in schoolwide programs.

One other emerging flexibility which was not included in the document sent to Governors, as noted in the last TechMIS Special Report on allowable uses of Coordinated Early Intervening Services/Response-to-Intervention IDEA 15% set-aside funds, is that districts have the greatest flexibility of using such funds when they are allocated to Title I schoolwide programs to hopefully prevent at-risk students from having to be placed in costly special education programs. In her article entitled "Districts Must Walk a Fine Line to Fund RTI Programs" in Education Week March 2nd, Sarah Sparks wrote, "RTI's individual student focus philosophy often clashes with the rigid decades old school infrastructure of services provided based on students grant eligibility." Even if a schoolwide program fully consolidates allowable federal and other funding, fiscal requirements of each grant can cause problems when multiple sources are used to fund RTI. For example, money under the 15 percent set-aside use must be tracked, even in schoolwide programs. Further, the progress of students receiving interventions must be reported two years after the completion of interventions for each individual student. Referring to a USED 2008 Power Point presentation, (i.e., the latest USED "guidance" on funding RTI) she noted, "According to the slides, a school that does not fully implement a schoolwide Title I program can still use Federal money to implement RTI, but only in specific interventions and tiers."

Another "flexibility" which is not addressed in the document relates to the "incidental use" provision in IDEA that applies to both Title I and non-Title I schools. Under that provision, IDEA funds can be used, for example, to purchase a network software license for special education teachers and/or special education students to use for teaching or instructional purposes which can be used on an "incidental use" basis by non-special education teachers and non-special education students in that school if: (a) the price is the same, regardless of a number of teachers or students using it, such as a one-price schoolwide license; (b) no special education teacher or special education student is denied access; and (c) the wear and tear of additional users is minimal.

In his letter to Governors Secretary Duncan also encouraged Governors, and in turn SEAs and LEAs to take advantage of transferability provisions in NCLB which allows most districts to transfer up to 50 percent of several Federal programs funds (e.g., Safe and Drug-Free Schools, E^2T^2 State Technology Grants, and Title IIA) into other programs including Title I. Prior to NCLB passage, districts were allowed to transfer only five percent of such funds to other programs to meet "unmet needs." While these and other funds could be transferred into Title I, Title I funds could not be transferred into these programs. One of the possible reasons for the growth of designated schoolwide programs to over 50 percent of all Title I schools nationally has been bolstered by increased budget pressures to transfer Federal funds from other programs into Title I and in turn to Title I schoolwide programs where funding and staff resources can be used in a much more flexible manner without having to report how "consolidated" funds were actually used.

If the district has been "identified for improvement," up to 30 percent of funds for other programs may be transferred into Title I if the transferred funds are used only for LEA improvement activities. If a district is "identified for corrective action" then no other formula funds can be transferred into its Title I program. Apparently those Bush officials drafting NCLB were concerned that transferring other Federal program funds into districts under "corrective action" were a waste of Federal funds as the school would likely be closed eventually. Clearly, this Administration has taken the opposite position and will likely propose significant changes in any ESEA "fix-it" or comprehensive reauthorization. It is interesting to note that over the last decade, the net effect of transfers into or out of several programs such as E^2T^2 State Technology Grants has been minimal, ranging from one to three percent plus or minus each year.

The "flexibility" document also identifies current flexibilities which certain rural school districts have under the Small Rural School Achievement Program which is also known as the "REAP-Flex" which allows "these districts to make more effective use of their small Federal formula allocations." The document also spells out certain current flexibilities related to consolidation of Federal programs and transferability provisions that are allowable to be undertaken by SEAs.

Somewhat conspicuous by their absence are three other areas in which significant flexibilities can exist for states and districts. No mention is made of state EdFlex "authorities" which have been provided to 10 to 15 states over the last 8-10 years which exempts these states from certain provisions and regulations in return for greater accountability for student achievement. For example, EdFlex states such as Texas allow districts to carry over more than 15 percent of Title I funds from one year to the next without waivers. On several occasions, Texas has also proposed to reduce the 40 percent poverty threshold for designating a school as a schoolwide program to 20 percent. No mention is made about SEA waivers that have been requested and approved by USED. For example, virtually all states have received waivers to carry over more than 15 percent of Title I regular funds from this year to next year. One can reasonably assume that some Governors, particularly new Governors, may not be aware of waivers requested by their respective SEAs which have been approved.

Another flexibility of particular interest to superintendents which was not included in the document sent to Governors was Section 613 of IDEA called "local adjustment authority" which allows a school district the option to allocate up to 50 percent of the increase in IDEA funds (which was 110 percent increase over 2009) to "free-up" the same amount of local funds currently being allocated to special education programs in the district. As we reported more than a year ago, some districts have taken advantage of the Section 613 option and used the "freed-up" local funds to purchase products and services allowable under ESEA. The GAO and CEP surveys estimated somewhere between 30 and 40 percent of the districts took advantage of this option early on. Some districts which have yet to take advantage of this option may do so to ensure that any "leftover unspent" IDEA ARRA funds are obligated before September 30, 2011 in order not to have to return such funds to the Federal treasury.

We and other knowledgeable observers questioned why the USED "flexibility" document sent to Governors included only a limited number of flexibilities, and not some of the others which are noted above which could affect a larger amount of funds than those examples identified in the document. In any event, it is likely that some governors' staff might have not been aware of some of the flexibilities included in the document and will encourage SEA officials to make necessary procedural changes, reducing barriers for districts to take advantage of one or more of the current flexibilities.

The letter and two reports can be found at: http://www.ed.gov/news/press-releases/department-education-provides-promising-practices-productivity-flexibility

Washington Update

Vol. 16, No. 3, March 16, 2011

Center on Education Policy New Report on States' Progress Implementing Reform Strategies Suggests What Levels (SEA or District) to Target With Products and Services Associated With Alternative Reform Initiatives…And Which Ones Are Likely to "Hit a Wall" Because of State Funding Crises in the Very Near Future

In its second report CEP states that progress in implementing Administration reform measures is being made by states. CEP reports that although states have begun planning or implementing many of the reform initiatives pushed by the administration, "the ambitious agenda of education, reform attached to ARRA may hit a wall in 2012." As the report notes, almost three-quarters of the states reported K-12 education funding had remained flat or decreased by five percent or more in FY 2011 with a similar expected stagnation or decline in funding for K-12 education in FY 2012. About a quarter who reported state funding cuts in 2011 project another round of cuts in 2012. CEP findings from its survey conducted with SEA Deputies in October/November 2010 also suggest what types of reform initiatives are likely to continue in a "planning or implementation" mode and at what level in light of state budget constraints.

Notwithstanding claims made by USED officials and others about the number of legislative or regulatory changes made by states, for example, to implement or authorize reform initiatives required to become eligible for Race to the Top funding (see February 2011 TechMIS Washington Update on "White House Fact Sheet"), CEP reports a very interesting finding: "Relatively few states reported that they had adopted statutory or regulatory changes to implement the key reform strategies highlighted in our survey. These changes in laws and regulations reported by the greatest number of states pertain to the adoption of new academic standards and the creation of education evaluation systems based on student achievement." CEP also notes that states not receiving Race to the Top grants "are proceeding with reform plans in their Race to the Top applications, although on a somewhat slower timeline and with some omissions. The fact that so many reform actions are underway in the states is a hopeful sign; however, diminished budgets may pose obstacles to full implementation of these reforms." Among the ARRA-related reform strategies which are being acted upon by a large majority of the responding states are:

- Actions to establish state data systems are underway with 38 states tying achievement of students taught by individual teachers and 37 states aligning data systems for K-12 and higher education to track individual students.
- Actions related to new standards and assessments are rather widespread with 40 states taking action to provide professional development for teachers and principals, with 35 states developing curriculum guides

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and materials to facilitate transition to common use standards and assessments.

- Forty states are "planning, developing, pilot testing or rolling out" teacher evaluation systems that include student achievement gains as a criterion and the same number are taking these actions for principals.
- In 34 states guidance is being disseminated along with rubrics that can be used to select school intervention models.

One might infer from the implementation of the activities identified above, as well as other reform initiatives, that Race to the Top and the Administration overall reform policies have provided political cover for state and district officials to implement reforms that for political reasons, they have failed to implement or were hesitant to implement otherwise. Now, the question remains, as to which reforms will continue to be developed or implemented in light of budgetary constraints?

CEP also addressed the current status of certain reform initiatives in the context of the level of responsibility (SEA or district). In the area of longitudinal student data system implementation, 36 of 40 states are in a "rollout stage" for the use of student identifiers; and 31 states are compiling yearly records of individual student test performance; and 25 of 40 states reporting they are in a "rollout" implementation stage in making student data available to schools and teachers "to support instructional improvement in student assignment to instructional programs." The latter has direct implications for firms that are selling district and school level student information systems, formative assessments, and directly related systems/applications which will interface with such state data systems in the future. Without question, the implementation of longitudinal data systems has been a state responsibility and more than one billion dollars in federal funding has been provided to states for planning and implementation over the last three years. Under "reform strategies for increasing educator effectiveness and equitable distribution of human resources," 38 of 40 states report including student achievement gain as a criterion for both teachers and principals; however, only two states are in a current "rollout" mode. On the other hand, 18 states reported they are not having "any action planned" for creating incentives for effective principals to remain in or transfer to low performing schools and 15 states reported no action plan in the same area related to incentives for highly-qualified teachers to remain a transfer to low performing school; and 11 of 28 states have no actions planned for establishing high-quality education induction programs. Clearly, if such reform initiatives are to occur in the near future, districts in many states will have to accept responsibility. On the other hand, with respect to three strategies, SEA officials reported they are already in a "rollout" status in establishing alternative pathways for aspiring teachers and principals to enter the profession (18), providing high-quality professional development for educators (16), and establishing a state data system that tracks achievement of students taught by individual reading/language arts and math teachers (9), with 25 states reporting the strategy is in a "planning and development" mode.

CEP also asked SEA deputy respondents the status of specific strategies being considered or used to "turnaround low-performing schools" and found, "Some key strategies for achieving this goal; however, are not part of reform plans of a notable number of states." It should be noted that the responses reported about SEA planned actions regarding the turnaround of low performing schools were based on the CEP survey of SEA deputies in October-November 2010 before state changes in many governors and state superintendents occurred. The planned changes in the low-performing school turnaround strategies for SEAs reported in the third CEP report, which is discussed in the following Washington Update, were based on interviews with state Title I directors during November-January after some changes had been made and SEA applications for SIG funding were negotiated with USED. Individuals involved in the surveys feel the SEA Title I directors responses are more accurate and up-to-date compared to the CEP's SEA "deputies" survey findings, it would appear that state roles or actions will be relatively less in several areas. For example, 9 states according to deputies are in a reported rollout mode in "developing and disseminating guidance and procedures for use in screening and selecting school intervention experts and 23 more are in a planning or pilot testing phase." As we reported last Fall, Congress planned to hold hearings and USED promised to provide continuing guidance to states related to state responsibilities in this area of identifying and selecting intervention experts; yet, 15 states reported no current action or any planned in this area. On the other hand, while no official action could be taken by an SEA, SEAs have a long tradition of providing "unofficial" guidance to districts in programs such as School Improvement Grants in ways that influence the selection process of eligible firms to serve as partners or contractors. Twenty-two states reported no action taken or planned regarding identifying and recruiting Charter Management Organization (CMO) or education management organizations (EMOs). On the other hand, 19 states are already in a "rollout" mode and developing and disseminating guidance and rubrics for selecting school intervention models (such as the four SIG models which are supposed to be selected by the eligible districts) and 13 states are in a "rollout" mode with 25 states in a planning mode for disseminating information on best practices in low-performing schools. CEP speculates that some of the reasons why state roles in turning around low-performing schools are more limited than in implementing other overall strategies may be attributed to:

- a tradition of local control that limits state involvement;
- certain state mandated roles specified in SIG guidance; and
- the long-time tradition of district autonomy vs. state centralized governance (e.g., selection of staff, teachers, and principals).

SEA officials were also asked to identify timelines for full implementation of some of the reform initiatives. In the general reform area of "improving low-performing schools," only 11 states reported disseminating guidance and procedures in selecting school intervention experts would be implemented by the end of this year, while issuance of guidance and rubrics for selecting school intervention models would be implemented in the same end-of-year

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time frame by 19 states. Aside from reforms related to state data systems which have generally the earliest full-implementation deadlines, adoption of standards aligned with expectations for college- and career-readiness in math and language arts will reach full implementation in 2012 or later in 22 and 23 states adopting respectively. Not unexpectedly, 29 states plan to create or adopt state assessments aligned with new academic standards by 2012 or later, with 22 of these 29 states not expecting implementation of procedures for providing accommodations for students with limited English skills to participate in new assessments until 2012 or later. A similar number of states expect the same time frame with respect to accommodation for students with disabilities.

Based on the survey findings, one might arrive at a number of conclusions:

- the reform initiatives which will likely be continued, if adequate state funding is available, will be those that have been implemented under existing state requirements (laws and/or regulations) and/or are under new "requirements";
- those reform initiatives which could be scaled back or even dropped will be those which were "permitted" under state law or regulations, but not "required" for which federal funding is not adequate or is otherwise in jeopardy as a result of uncertain levels of future federal funding;
- those reforms that are low cost to continue and political opposition has or is being dissipated (e.g., changing the use of tenure criteria for dismissal).
- another set of initiatives within strategies is highly contingent upon state acceptance and implementation of planned federal development such as the two consortia's development of state assessments aligned with Common Core Standards which include using individual student assessments as a criterion for teacher and principal accountability evaluations, accommodations for LEP and special education students, and related items;

The next CEP report on progress in implementing reforms focused on School Improvement Grants which was published in February (see related TechMIS Update). For a copy of the report go to: http://www.cep.org/

The Latest Report from the Center on Education Policy Entitled "Early State Implementation of Title I School Improvement Grants Under the Recovery Act" Amplifies and Updates Some Previously Reported Findings Based on New Survey of State Title I Directors on SEA Implementation Plans and Support Strategies

Following its second report based on surveys conducted in October and November with SEA Deputies on progress made in implementing ARRA education reforms (see related Washington Update) CEP most recently released findings from its survey conducted with 46 SEA Title I directors conducted in November 2010 - January 2011. These findings amplify and update findings from the earlier survey with SEA Deputies. As noted in our Washington Update on the second report where findings from the two Director's surveys are conflicting, the State Title I survey findings are more accurate and up-to-date. The CEP survey of state Title I directors asked respondents to compare the types of schools served under the new SIG ARRA funds with the types of schools previously served by non-ARRA SIG Part G funds in the past; the types of assistance they plan to provide to school districts with low-performing schools that did not receive SIG ARRA funds; and respondents' perceptions about new SIG requirements and funding adequacy. The findings of particular interest to TechMIS subscribers include SEA roles and plans in providing different types of guidance (e.g., selecting intervention experts and instructional materials) which are highlighted below.

Generally, the SEA Title I directors reported that they would provide more technical support, monitoring, guidance, and other services to districts receiving SIG ARRA funds (Part G) than they would provide to districts receiving non-ARRA funds but are receiving mostly School Improvement Grants Part a (the 4% SEA set-aside) which increased last year and this year by combined $1 billion. Major differences existed in several areas related to providing guidance on the identification and selection of external providers, intervention models, and instructional materials. Thirty-four of the 46 states plan to provide guidance to districts on selecting school intervention models with districts for ARRA funds compared to only 12 SEAs providing such guidance to districts not receiving SIG ARRA funds. This is somewhat surprising as the regulations clearly state that selection of the one of four intervention models is an LEA responsibility. Other types of guidance SEAs plan to provide districts receiving SIG ARRA funds compared to those not receiving such funds include:

- guidance in finding and selecting external providers and school intervention experts (28 vs. 8 states);
- lists of SEA-approved external providers (15 vs. 10 states) ;
- instructional materials (7 vs. 3 states); and
- training for external providers and school intervention experts (8 vs. 4 states).

The types of SEA assistance mentioned most often for districts not receiving SIG ARRA funds include technical support (40 states), financial assistance through Section 1003 (a) the 4% set-aside (30 states), professional development for school leadership (27 states), professional development for teachers (24 states), and information on best practices for improving low-performing schools (24 states). One of the reasons for the different levels and types of assistance SEAs planned to provide according to CEP is "states generally have more flexibility in allocating the 1003 (a) funds than they do for the 1003 (g) ARRA funds, although eligibility for the 1003 (a) funds is limited to schools that participate in Title I and have been identified for any stage of NCLB improvement." In general, SEAs will have a greater influence over the districts selection of external partners/vendors, intervention models and instructional materials for districts receiving SIG ARRA funds compared to districts not receiving SIG ARRA funds in which case district decision makers have a greater role to play. As CEP notes, "More than half (26) of the responding states reported that the assistance being provided under the new ARRA SIG is 'different' or 'very different' from that provided to School Improvement Grant recipients prior to ARRA."

This third CEP report based on the two surveys reiterates findings in previous reports or amplifies such findings. For example, compared to pre-ARRA School Improvement Grant recipients, 31 states reported an increase in high schools being served after new November 2010 SIG guidance was finalized (see TechMIS November 12, 2010) and a proportional decrease in elementary schools being served reported by 20 states. Whether the proportional increase in proportionately more Title I eligible high schools are participating under SIG ARRA funding than previously is due to the Administration's priority in serving high school dropout factories as Tier II schools are due to the fact that these Tier II schools had not received Title I funding and therefore were not affected by the AYP and other accountability provisions of NCLB is unclear." This point was noted recently in *Ed Money Watch* blog from the New America Foundation (February 24th). Proportional changes in the number of middle schools served changed the least with 16 states reporting a proportional increase and 11 states a proportional decrease, with 15 states reporting the same proportion. While CEP notes that varying definitions of what constitutes a middle school among states, could be a confounding factor; however, as we noted several years ago during the last half of the decade, while 15 percent of the Title I schools nationally were middle schools, they constituted approximately 30% of the schools during that timeframe that entered "corrective action" or "restructuring" mostly due to lack of student progress in meeting AYP in the area of mathematics.

Other findings from the SEA Title I directors' survey included:

- The majority of Title I directors surveyed viewed Federal SIG ARRA guidance as helpful and Federal SIG funding as adequate, but as CEP notes about adequacy of funding "satisfaction is likely to be temporary, however, if future funding reverts to its previous levels."
- SEA Title I directors provided mixed responses regarding the extent to which new SIG requirements are targeting the schools most in need of assistance in their state with 23 states reporting schools most in need are being identified "to the right extent," while 22 percent responded only "to some extent."

CEP also reported that as of last Fall, 28 of the responding states had awarded all of their SIG ARRA funds to districts with five expecting to make grants by November, six expected to make grants by January 2011, and four expected to make grants after January.

For a copy of the report go to: http://www.cep-dc.org/

Two Common Core Standards Assessment State Consortia Receive Additional $15 Million Each to Develop Instructional and Professional Development Materials, Tools, Curriculum Units for States to Assist in the Adoption of Their Respective Common Core-Aligned Assessments

In addition to receiving $330 million in Race to the Top funding last Fall to develop their respective Common Core Standards assessments, two state consortia recently received slightly over $15 million each to help adopt their respective transitions from current to the new tests in developing curriculum and instructional materials and instructional and professional development materials for use by the states if they so decide to use them. The focus includes curriculum development, new instructional tools and professional development materials for use by states if they select to adopt the Common Core Standards Assessments. This development funding raises two questions: (1) will the new efforts provide opportunities for participation by for-profit vendors, including some TechMIS subscribers, or will this be considered "unfair government competition" with the private sector -- a related question increasingly being asked regarding other Administration initiatives, particularly those related to open education resources; and (2) whether the allocation of $31 million in Race to the Top Federal funds is legal or is in violation of a provision in ESEA which bans the use of Federal funds to develop a national curriculum which states, "No provision of a program administered by the Secretary or by any other officer of the Department shall be construed to authorize the Secretary or any such officer to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, over any accrediting agency or association, or over the selection or content of library resources, textbooks, or other instructional materials by any educational institution or school system, except to the extent authorized by law. (Section 103[b], Public Law 96-88)"

The same issue was raised during the early days of implementation of Reading First when Bush Administration policies were accused of supporting specific publishers, curricula and related supplemental programs (and excluding others) for states and districts to purchase using Reading First funds.

The "supplemental modification" approved by USED in January for the Partnership for Assessment of Readiness for College and Careers (PARCC) states, "The supplemental funds provide an important opportunity to compliment and significantly strengthen PARCC's plans by developing a robust set of high-quality instructional tools that will support good teaching, help teachers develop a deeper understanding of the CCSS and their instructional implications, and provide early signals about the types of student performance and instruction demanded by the PARCC assessments." PARCC plans to allocate a substantial portion of their $15 million supplemental resources toward the development and use of such tools.

As one of the initial steps, it plans to create prototypes of the "through-course assessments" which will be field-tested this year and next through pilot programs. "These prototypes modified as necessary based on the initial pilots will provide the models that competitively selected vendors could subsequently use to develop both through-course assessments and the instructional units that would be allowing to them."

Based on its recently approved additional planned effort to develop supplemental curriculum materials to help in the transition for states adopting their assessment, the Smarter Balanced Assessment Consortia (SBAC) will use its funds to hire several content experts "to consult and collaborate with other existing efforts of professional organizations, universities, and non-profit groups to develop curriculum materials including formative processes that may be aligned with SBAC learning progressions, and approaches to teaching and learning." After the initial year, it proposes to "continue contracts with content experts to continue to consult and collaborate with professional organizations and support the identification and selections of materials for the digital library." Both groups will contribute to an open source digital library. Through the area of professional development, the consortia would "support states in planning and implementing professional development initiatives, creating formative tools and processes and constructing practice guides and assessment frameworks. Model curriculum, instructional modules, along with training modules would be developed. One section of the plan notes, "The teachers will use the professional development modules incorporating the formative assessment exemplar modules developed by the vendors to analyze and evaluate for the selection of the digital library, available formative assessment tools and tasks." It remains to be seen whether the use of contractors elsewhere in the plan would include opportunities for for-profit firms. It would appear that "vendor opportunities" would not likely begin until year two.

While the issues related to the above question regarding participation of profit firms and final outcomes are not likely to receive much media attention, political issues related to the second, the legality of ESEA funding for curriculum development, are very likely to grab headlines as GOP leaders, especially in the House, are likely to raise the issue of "a national curriculum." During a recently convened conference by ETS with more than 100 test designers, state policy people, and others to talk about the "through-course summative" assessments as reported in the *Curriculum Matters* blog (Education Week February 11th), Chris Cross who as Republican Staff Director of the House Committee on Education and Labor helped draft the 1979 law cited above, raised this question with Michael Cohen, President of Achieve who is the Project Management Partner to PARCC as reported in the February Education Week blog, "Cohen said that PARCC is planning to develop curriculum frameworks, model instructional units and such, not the entire curriculum."

Those resources, along with others, would be housed in a digital library and made widely available, but no state or district would be obliged to use them." Cross reportedly emphasized, "The language here is very important. It's important to clarify that the consortia do not intend to 'standardize curriculum across the country.'" Cross also noted that the development of Common Core Standards was not funded directly by the Federal government. The Common Core assessments, including the new supplemental, does receive Federal funds and does fall under the 1979 law. In a later conversation with *Curriculum Matters* blogger Catherine Metz, Cohen emphasized there's a distinction between curriculum and curricular/instructional materials/resources, stating, "To most people, curriculum implies something highly detailed that dictates what gets taught and how it's going to be taught. We're not doing that." He also noted that since the USED approved their supplemental plans so "clearly the Department didn't think this was running afoul" with the 1979 law. In the same report, Pat Forgoine, formerly head of the National Center for Education Statistics and is head of the ETS Center for K-12 Assessment in Performance Management said that this issue could be the "Achilles heel" of the consortia's work. Those GOP leaders and others who oppose the use of any Federal funds develop a "national curriculum" are likely to be vocal on this issue if and when hearings are held and implementation may be subpoenaed by Congressional oversight committees.

USED New Priorities for Discretionary Grant Programs Now Include New Priority 6 for "Technology" and a Slightly Revised Priority 16 "Improving Productivity" Now Includes "Innovative and Sustainable Uses of Technology"

In the December 15th Federal Register, USED published its final priorities and definitions for discretionary grant programs. These represented a quiet departure from previous policies by including a separate new priority for "technology" and emphasizing the importance in the "productivity" priority of using innovative technology that will "best improve results and increase productivity for their (the requestor's) unique education situation." Previous USED policy reflected in the FY 2011 Blueprint proposal would "encourage" the use of technology across discretionary programs supported by USED, particularly those which the Administration proposed to consolidate into one funding stream. The Blueprint FY 2011 proposed budget would not include any specific line item for the E^2T^2 program which virtually all technology advocates opposed and reflected such opposition in their comments to the proposed priorities printed in the Federal Register on August 5, 2010.

As the final notice states, "Rather than modify each individual priority, we have decided to establish a new priority focused solely on education technology." Under this new priority, the Department would support projects that are designed to improve student achievement or teacher effectiveness through the use of high-quality digital tools and materials. The new Priority 6 "technology" now reads, "Projects that are designed to improve student achievement or teacher effectiveness through the use of high-quality digital tools or materials which may include preparing teachers to use the technology to improve instruction as well as developing, implementing, or evaluating digital tools and materials." In his November 17, 2010 "Bang for the Buck in Schooling" speech before the American Enterprise Institute, Secretary Duncan outlined a new policy of the Department to increase the productivity of education in. He called for an increase in the use of smart technology to support transformational productivity reforms. Such reforms designed to change the factory model of education require “rethinking policies around seat-time requirements, class size, compensating teachers based on their educational credentials, the use of technology in classrooms, inequitable school financing, the over placement of students in special education.” (See December 2010 TechMIS Washington Update) Without these changes, the benefits of technology will not be realized. Duncan further elaborated, “Technology can play a huge role in increasing educational productivity, but not just as an add-on…to change the underlying processes to leverage the capabilities of technology.”

Several commenters on the August 5th proposed priorities identified a number of areas which could result in increased productivity such as increasing staff satisfaction or teaching and learning working conditions, changing staff schedules, and increased community partnering and other strategies, all of which technology can play an important role or otherwise facilitate. As USED noted, that as a result of comments, they decided to make the slight changes in the proposed notice by “adding modification of teacher compensation systems as an example of a strategy to make more efficient use of time, money, and staff.” Priority 16 now reads, “Projects that are designed to significantly increase efficiency in the use of time, staff, money, or other resources in order to improve results and increase productivity. Such projects may include innovative and sustainable uses of technology, modification of school schedules, and teacher compensation systems, and use of open education resources (as defined in this notice) or other strategies.”

To the extent that USED and its selected review panels of future discretionary grant programs take new Priority 6 and new Priority 16 into account in a serious manner when reviewing discretionary grant applications, there appear to be much greater opportunities to make the case for effective and appropriate use of different types of technology applications in which the cost savings or benefits of the use of technology can actually be realized.

Latest USED Data Show Increased Use of Title IIA $2.5 Billion Funds for Professional Development with About $250 Million in Non-Academic Areas, Including Differentiated Instruction, Classroom Management Strategies, and Response-to-Intervention Approaches

In school year 2009-10, USED’s most recent survey reported that 96 percent of districts received Title II Part A funding, with the highest poverty districts and largest districts receiving the bulk of such funds. Compared to seven years earlier, the percentage of funds used for professional development increased from 27 percent to 42 percent, while funding to reduce class size decreased from 57 percent to 36 percent. During that timeframe, the amount of Federal funding under Reading First and other programs, including Title IIA, which were used to hire reading or literacy coaches increased significantly and most likely constituted a significant portion of the increase reportedly used for "professional development"; yet in many instances such reading coaches also provided direct instruction to students. In 2009-10, USED reported five percent of professional development funds were allocated for initiatives such as "mentoring, induction, or exemplary teacher programs to promote professional growth and reward quality teaching." It is not clear whether "mentoring" included reading coaches.

More than 95 percent of professional development focused on teachers and paraprofessionals, although the amount spent on professional development for administrators has increased from two percent to four percent of all professional development funds over the last seven years.

The report found that in 2009-10, 33 percent of funds used for professional development for teachers focused on reading and 23 percent was allocated for activities related to mathematics. While eight percent of professional development funds focused on other academic subjects, 11 percent was spent in other "non-academic topics." As the report notes, "The most common non-academic topics on which professional development funds were used included classroom management strategies, response-to-intervention, and differentiated instruction" which most likely were between $250 and $275 million. As the report notes, more than three million teachers participated in professional development activities "after school," and nearly 850,000 teachers attended "multi-day workshops." About 16 percent of teachers participated in almost 400,000 professional development sessions on using effective instructional strategies, while 14 percent participated in 373,000 sessions on increasing core academic content area knowledge.

USED reports that in the most recent Title IIA survey, over 45 percent of the total amount of Title IIA funds were allocated to the highest poverty districts which were more likely to have received large portions of Title I funds; many of these districts were likely "identified for improvement" and had to set aside ten percent of Title I funds for professional development. The report noted that of the three million core academic content area teachers, 90 percent received professional development in 2009-10. In a footnote, USED explains that some of the professional development received by the 90 percent of teachers came from other sources, including Title I set-asides for professional development.

Some of the above reported above findings such as the increase in Title IIA funds for professional development should be read with some guarded caution (i.e., a significantly large increase in hiring of literacy coaches which could have been reported under professional development). Use of Title IIA funds for professional development has increased since the passage of NCLB. The increase in Title I funds for professional development particularly under the 10% set-aside has been even greater, surpassing $1 billion annually several years ago (see July 29, 2010 TechMIS Special Report). The increases for classroom management strategies, response-to-intervention, and differentiated instruction using both Title IIA and Title I funds has been corroborated by ours and others' studies over the last several years.

Invitation to State Education Agencies to Submit Applications Under Striving Reading Comprehensive Literacy (SRCL) Discretionary Grant Totaling $178 Million Announced in Federal Register and Includes Definition of "Evidence-Based" Which Will Very Likely Replace "Scientifically-Based Research" (SBR) Criteria Previously Used

Notwithstanding the GOP House proposed elimination of FY 2011 $250 million for Striving Readers in HR-1 Continuing Resolution, USED has "moved forward" with $178 million in FY 2010 funds to implement the state competitive discretionary grant program for the Striving Readers Program. Perhaps more significantly, the notice has a definition of the term "Evidence-Based" included in the Higher Education Act amended two years ago which is very likely to replace at the K-12 level, the Scientifically-Based Research (SBR) criteria which was used and misused under NCLB. The "Principles of Research" are outlined later below.

While funding uncertainty still remains, USED has decided to move ahead, requesting SEAs submit their applications with the understanding that actual grants totaling $178 million depends on the "availability of funds." It is possible that some of the $250 million in the FY 2011 funds which were rescinded in the Continuing Resolution ending March 18th could eventually be restored. Applications must address two absolute priorities -- improving learning outcomes and enabling more data-based decision-making, the latter of which must include strategies to provide educators as well as families and other key stakeholders with the data they need and the capacity and training to use those data to make decisions ranging from "school readiness" to "informing professional development practices." A Competitive Preference priority exists for up to five additional points for applications that make effective use of technology to support the "Principles of Universal Design for learning" and provide "an evidence-based (as defined in this notice) rationale that its proposed technology program practice or strategy will increase student engagement and achievement or increases teacher effectiveness." The notice also states, "We established the following definitions to apply to the FY 2011 competition and any subsequent year in which we make awards from the list of unfunded applicants from this competition." According to the Notice "evidence-based" evaluation studies are those that have been carried out consistent with the Principles of Scientific Research. The Principles of Scientific Research was defined in the Higher Education Act amendments two years ago and were formulated by a key staff in Senate HELP Committee who is now Education Policy Advisor at the White House, Roberto Rodriguez. Several of these Principles which will likely be applied to all education grant programs within USED include among others:

- use of systematic and empirical methods that draw on observation or experiment;
- reliance on measurements or observational methods that provide reliable or generalizable findings;
- strong claims of causal relationships, only with research designs that

eliminate plausible competing explanations for observed results, such as, but not limited to, randomized assignment experiments; and

- acceptance by a peer reviewed-journal or critiqued by a panel of independent experts through a comparably rigorous objective and scientific review.

The notice also defines other concepts such as "professional development" and what types of activities it includes. The range of grants are $3 million, for example, for small states such as Alaska and Delaware and the District of Columbia to $70 million for California and Texas. Once SEAs receive their grants, they in turn will conduct their competitive grant competitions for other eligible entities such as districts, charter schools, among other entities.

The notice was posted in the Federal Register on March 10th.

If Not ESEA Reauthorization, AASA Calls for Regulatory Relief Immediately and Full Funding for IDEA

Amid budget-cutting debates in Congress and public service union protests in Wisconsin during the mid-February AASA annual conference in Denver, AASA chief lobbyist Bruce Hunter called for several major changes to ESEA this year, but if not possible "regulatory relief" in several areas immediately. He also announced that House GOP recommended dramatic cuts in IDEA, a day earlier had been restored by Representative Cathy Rogers (R-WA) and Education Committee Chairman John Kline (R-MN), who Hunter reminded 1,100 attending district superintendents and staff that Chairman Kline has also called supported AASA's call for full funding for IDEA. This would increase IDEA funding over time to over $25 billion to the mandated 40 percent of the cost of special education when PL 94-142 (now IDEA) was passed in 1975. Currently, IDEA covers approximately 17 to 18 percent of these costs when one excludes 2009-10 stimulus ARRA funds.

In any ESEA reauthorization, Hunter emphatically called for doing away with the 20 percent SES set-aside which is "wasteful" and otherwise drains billions of dollars from district-operated Title I programs. Similar to the nine "fix-it issues" identified by Senators Alexander and Chairman Enzi (see February TechMIS Washington Update), he called for a repeal of the 2014 goal of every student being proficient and changing the way annual yearly progress (AYP) is computed which will result in almost all schools and districts being identified for improvement three years from now.

Hunter also told the superintendents, many of which were from small rural districts, that AASA would join forces with other groups to ensure ESEA reauthorization make significant changes in Title I formula such as basing district Title I allocations on the percentage of poverty students enrolled in a district and school rather than the sheer numbers, which currently favors larger than districts.

If no comprehensive ESEA reauthorization is likely, AASA will mount the heightened

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effort to seek "regulatory relief" immediately in several areas. Based on a follow-up offline discussion with Hunter and his lobbying staff, some of the areas in which regulatory relief will be sought include:

- greater flexibility in allowing a district's use of SES set-asides and reprogramming of unspent third-party set-asides to meet district priority Title I needs;
- lifting the 15 percent of IDEA cap in districts identified as having "significant disproportionality" if they are making progress, which would likely increase IDEA funds being reallocated to Title I for use in schoolwide programs serving at-risk students (see February 17th TechMIS Special Report);
- changing Medicaid rules which would reduce administration burdens (e.g., now requiring parents to provide approval every time a related service for their student is recommended) in order to maximize Medicaid reimbursement under the S-Chip program;
- reducing responsibilities and burdens placed on school districts to insulate school children from persons with criminal records and sex offenders.

There appear to be general consensus that one likely strategy that will roll out in the context of the House GOP attempts to reduce education funding to lower levels than in the current Continuing Resolution: Senator Lamar Alexander will likely be the "key broker" between House ultra conservative, Tea Party leaning new members and Education Committee Chairman John Kline, who favors a fix-it legislative approach spearheaded by Senators Alexander Enzi, and between the Administration and Chairman Harkin who appears to be favoring a more comprehensive ESEA reauthorization this year.

Exhibits Reflect Changing Product Demands

Compared to last year's AASA's conference exhibit area, the overall mood was more upbeat with a "higher quality" of exhibit area traffic. During last year's conference, the East Coast was hampered by record snowstorms preventing attendance by many district officials and exhibitors. With a slightly lower number of attendees, more high-quality traffic appeared during the last day of exhibits which boosted the mood of many exhibitors. Similar to the recent National Title I conference in Tampa (see February TechMIS Washington Update), exhibitors' booth signage and promotions emphasized Response-to-Intervention (RTI) more heavily than last year; however, unlike the emphasis on RTI interventions and professional development during the Title I conference, the emphasis here was primarily on RTI "infrastructure" administrative applications which could be used to document the RTI process followed by district staff, minority student progress, analyzing data which could be used to justify initial and subsequent interventions that were used. Examples here included: Sunguard, Scantron, and Maximus, among others.

Not unexpectedly, online delivery of instruction, professional development services, and telecommunications (within the district, as well as external) were widely promoted in several exhibit booths. Online instruction "demos" for English language learners appeared to be well-attended as were exhibitors' displays of online tutoring and test prep products and services. Exhibitors who provide professional development services were promoting online delivery more so than in the past, although some of the largest professional development groups that offer "blended" services did not appear to be present on the floor. However, at least one major provider of professional development services had two customer dinners after exhibit time, which were very well attended.

Miscellaneous

a) The American Association for Community Colleges recently reported that enrollment in community colleges increased 3.2 percent last fall 2010 over the previous year 2009 which is significantly less than the 11 percent enrollment increase experienced between September 2008 and 2009. According to Education Week *College Bound* blog, community college enrollments have grown by more than 20 percent over the past three years, with 1.4 million more students enrolled in the Fall 2010 than in Fall 2007. The increase in full-time student enrollment represented a larger percentage increase than the increase in part-time enrollment. The slower rate of enrollment increases was attributed to tighter budgets with some states capping enrollment due to drastic cuts in state funding from the Federal sources. One of the most contentious issues is the potential Federal budget cut debates currently ongoing in Congress is over Pell grant loans to increase access to college, particularly for low-income minority students.

b) As of February, USED reported that slightly over 25 percent of the $10 billion Education Jobs fund or about $2.3 billion has been obligated by states to help districts retain staff or otherwise provide funds to cover employment related expenses in K-12. According to *Ed Money Watch*, California has obligated almost 90 percent of the funds or about half of the total obligated by all states thus far. Other states that have drawn down large portions of their funds include Kansas (99%), Georgia (99%), and South Dakota (100%). None of the Federal funds under EduJobs have been obligated in Colorado, Delaware, Hawaii, Louisiana, Missouri, Montana, Nebraska, New York, North Dakota, Pennsylvania, Vermont, West Virginia, and District of Columbia. According to *Ed Money Watch*, some of the possible reasons for these states not obligating the funds include:
   - some states may be obligating first any remaining SFSF funds before obligating EduJobs funds;
   - some may not have yet requested reimbursement for expenditures they have already made;
   - some have not yet decided how they will use the funds.

   In a discussion with Jennifer Cohen at *Ed Money Watch*, she was not aware of any roadblocks to obligating such funds on the part of state legislatures which in about 25 states are required to reappropriate such funds before districts are allowed to expend them. To the extent states are allowing districts to use EduJobs funds to retain staff, pressures to use Title I and IDEA ARRA funds should be reduced. Since we reported in our TechMIS Washington Update (December 2010), according to the most recent survey by AASA, about a third of the districts plan to use EduJobs funds this year; another third to expend such funds next year by September 30, 2012 and another third plan to expend those funds over the two-year period.

According to the Hechinger Report, USED stated approximately 367,000 education and related jobs were retained during the 2009-10 school year. In Education Week (February 12, 2011), Secretary Duncan noted, "We saved 350,000 jobs…I think it helps stave off a total disaster." In the same article, Michael Griffith, analyst at eEducation of the States, noting that it could take up to three years before states fully recover, but concluded, "Even with stimulus funding, districts had to make pretty large cuts…the money preventing them from cutting muscle and bone."

c) In the March 2nd Special Edition on Response-to-Intervention, Education Week includes a display of all the states indicating which states require RTI versus discrepancy models and other approaches to identify students with learning disabilities. The states requiring RTI only are Colorado, Iowa, Illinois, Florida, and Connecticut. Under Federal IDEA regulations, states requiring the use of RTI are not supposed to allow districts to implement RTI until all teachers in all schools in the district have been trained or otherwise the schools have the capacity to implement RTI ensuring that Free Appropriate Public Education (FAPE) requirements are met. States which permit RTI and/or the use of the IQ discrepancy model on the other hand, according to the regulations are allowed to use a "staged implementation" in its districts beginning with pilot programs through district-wide expansion over several years. Most states fall into this category. The RTI provisions in IDEA reauthorized in 2004 and subsequent interpretations in the September 2006 IDEA regulations are likely to be a major focus of fix-it type amendments in the reauthorization of ESEA.

d) Student coaching appears to be a cost effective way for increasing college student retention and progress according to *College Bound* blog Education Week March 9th. In a randomized experiment conducted by Stanford University Associate Professor Eric Bettinger, coaches working with students on phone banks, using emails or texts to "nudge" students increased college student retention and graduation rates by a 10 to 15 percent over control groups during the 2003-04 and 2007-08 school years. According to blogger Caralee Adams, the coached groups after 18 and 24 months had higher retention rates by 15 and 14 percent respectively after the researchers controlled for age, gender, SAT or ACT scores, high school GPA and scholarships and grants. As she wrote, it is "encouraging" as a tested model, which appears to be cost effective as the cost of coaching is about

$1,000 per student.

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