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MEMORANDUM

DATE: October 28, 2011
TO: TechMIS Subscribers
FROM: Charles Blaschke and Blair Curry
SUBJ: Waiver Guidance; Senate ESEA Reauthorization Bill; House and Senate FY 2012 Funding Levels; State K-12 Funding; and State Profile Updates

On October 13th, we sent a TechMIS Stimulus Funding Alert indicating that the 1.5 percent rescission included in the Continuing Resolution for FY 2012 takes effect immediately and that the impact would be greater on IDEA than on Title I expenditures in the short run, unless USED loosens IDEA MOE requirements.

This TechMIS issue includes a lengthy Special Report on the long-awaited Senate Harkin/Enzi proposed ESEA comprehensive reauthorization bill along with recent amendments adopted during Committee markup, which would build upon some, but not all, of the Administration's earlier proposals and newly-announced State Waiver Initiative allowances/provisions. Some of Senator Lamar Alexander's so-called "fix-it amendments" (see April 15 TechMIS Special Report) were also adopted while others are to be resubmitted during the November 8th Committee hearing. The overall net effect is greater SEA flexibility by allowing three additional intervention approaches beyond the four SIG prescribed interventions in the five percent lowest-performing schools. Later details will determine specific opportunities for TechMIS subscribers; however, the intent of the changes point in positive directions if and when the reauthorization is passed by the House, which still remains unlikely.

Following our September 28th TechMIS Special Report on the initial "Flexibility" guidance to states for submitting waiver requests under the Secretary's State Waiver Initiative, USED published additional guidance in the form of Frequently Asked Questions (FAQ) which clarifies some, but not all, of the questions raised by advocates and critics thus far. Issues addressed include clarifications on:

- use of 20% SES/choice "freed-up" funds which, when added to the 10% professional development set-aside, could amount to about \$2 billion;
- SEA/LEA flexibility in selecting interventions for "priority" schools not receiving SIG

- funding and “focus” schools which appear to offer greatest opportunities; and
- effective dates of implementation with the most early opportunities relating to “focus” schools.

During a “funders” conference call on October 26, Secretary Duncan emphasized the Administration’s priority on the State Waiver Initiative (to which about 40 states have indicated intentions to request waivers) in spite of progress on ESEA reauthorization and “waiver resistance” in Congress. Given many similarities between ESEA and waiver allowances, the Waiver Initiative could be perceived as a “transition” to later reauthorization of ESEA after which it could take more than a year to promulgate final regulations before becoming effective.

The Washington Update includes:

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As of the requested October deadline, 39 states had submitted letters indicating intent to accept Secretary Duncan’s waiver offer, while most of the remaining states will likely do so this year or early next year. Earliest deadline for submitting SEA waivers is November 14th with most of the Race to the Top winning states and Differentiated Accountability Model states indicating early submission. Big state “holdouts” could include California and Texas, among others.
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Movement on FY 2012 education appropriation progresses, but differences between House and Senate panels are wide. The House would increase both Title I and IDEA by \$1 million each, but eliminate or reduce funding for the Administration’s flagship programs such as Race to the Top and School Improvement Grants. The Senate would level-fund Title I, IDEA, and other Administration “flagships” and restore funding for Administration priorities previously defunded in the FY 2011 Act. Final passage or another continuing resolution depends on action or inaction by the 12-member Congressional Super Committee to reduce debt by \$1.5 trillion over ten years and possible “sequestration.”
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An updated report by the Center on Budget and Policy Priorities indicates that 37 of 46 states will reduce state per-pupil expenditures for K-12 this year compared to last year, while eight states will increase such expenditures. Several “adjustments” for delayed state funding and final Title I allocations are not taken into account, which could be significant in several states.
- **Page 5**
The number of children ages 6-21 receiving IDEA/Special Education services continues to decline for a number of possible reasons; many continue to point to the expanded use of Response-to-Intervention approaches which recent surveys of product sales tend to

corroborate.

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A number of miscellaneous items include:

- a) 35 states and the District of Columbia have submitted applications for Race to the Top Early Challenge grants, including all previous Race to the Top winners except Tennessee.
- b) After the Senate's failure to pass the \$447 billion jobs measure proposed by President Obama, the first individual "piece," the \$30 billion education and local government job saving proposal, also failed by a Senate test vote; however, the Administration continues to press for passage by Congress of other "pieces," including school facilities repair and renovation.
- c) The What Works Clearinghouse has launched an improved website which is supposed to be more relevant and usable for principals and teachers; however, in light of other Federal government-subsidized clearinghouses used by educational practitioners and bad experiences of many TechMIS subscribers in attempting to submit research reports to WWC, TechMIS subscribers should remain leery about relying on the What Works Clearinghouse.
- d) Under the GEAR UP program, USED has awarded 66 new grants totaling \$177 million, mostly to universities with a limited number of LEA applicants, to help at-risk students, beginning in middle school, prepare for college and provide continuing support in post-secondary education. While some opportunities may exist in some of the newly-funded grants, future funding for the TRIO program, including GEAR UP, remains unclear.
- e) 587 education entities and non-profit organizations have submitted applications for the \$150 million Investing In Innovation (i³) grant program. Few, if any, non-profit organizations appear to be directly involved. More than 300 of the applicants have submitted for the second time. Some opportunities may be related to scale-up or validation grantees for purchasing firms' products.
- f) An update is provided of the 1.5% rescission for FY 2011 for Title I and IDEA and implications for FY 2012 appropriations debate in the context of the pending action by the 12-member Super Committee on debt reduction/sequestration.

The state profile updates include items on state funding and proposed budgets, Race to the Top, state waivers under NCLB, teacher performance pay, college remediation/readiness initiatives, and general school reform.

Special Report:
**ESEA Reauthorization Bill and Markup by the Senate Committee
Would Build on Some of the Administration's Proposals and the State
Waiver Initiative, Along With Some New Programs; GOP Opposition
and Amendments Can be Expected Before Final Passage**

A Technology Monitoring and Information Service (TechMIS)
SPECIAL REPORT

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October 28, 2011

In the Summary of Programs for the proposed ESEA reauthorization, released by HELP Committee Senate Chairman Tom Harkin -- specifically the initial version negotiated with ranking Republican Senator Mike Enzi -- are a number of provisions/programs supported by the Administration. Many of these are included in the recently announced Plan B State Waiver Initiative. The Harkin/Enzi proposal differs somewhat from ESEA "fix-it" amendments proposed by Senator Lamar Alexander (R-KY) and other GOP senators. During the two-day committee markup ending October 20th, some of the Alexander fix-it amendments were adopted along with several other "flexibilities" (described below) that have implications for TechMIS subscribers. Even in the Senate, serious negotiations will still be required before the scheduled November 8 hearings; the House GOP's "pieces" of SEA reauthorization legislation thus far would suggest even greater opposition can be expected in the House.

The Harkin/Enzi bill -- as marked up -- does not support several of the Administration's accountability and prescriptive intervention proposals; but, it would codify most of the principles and priorities recently announced under the State Waiver Initiative, which appears to have strong support from states. Indeed, the Harkin/Enzi proposal also would "Support state-designed accountability systems consistent with principles established by the national organization of State superintendents," according to the Bill Summary. In his September announcement, Secretary Duncan repeatedly referred to the CCSSO "principles for next generation accountability systems" as being a foundation for the Waiver Initiative. Under the assumption that the Plan B State Waiver Initiative continues to proceed and that some of the important general provisions/programs in the Harkin/Enzi proposal will eventually be passed, some general implications exist for firms with certain products and services as highlighted below.

While some of NCLB's "pillars" (e.g., annual testing, subgroup reporting) would generally remain, the "2014 all students proficient" deadline and AYP calculations would be eliminated. Rather, the initial Harkin/Enzi emphasis would be on student growth and "continuous improvement" with states having the option to use interim assessments (e.g., those being developed by the two Common Core Standards Assessments consortia) versus end-of-year exams. Moreover, similar to the Plan B Waiver Initiative, SEAs would have greater flexibility in deciding what types of interventions would be applied to "focus" schools and when. The exception would be the five percent lowest-performing "priority" schools which would still have to use one of the four intervention models under School Improvement Grants or two additional options (i.e., "whole school" and "strategic staffing"); however, even with these schools, greater flexibility would be allowed within certain parameters, especially for low-performing rural schools. According to *Education Week's Politics K-12* blog, based on interviews with Congressional aides, options under the initial Harkin/Enzi plan would include:

- retaining more than 50 percent of current staff under "turnaround" models;
- conversion to magnet schools;
- employing "whole school" turnaround using external organizations with proven track records as partners;
- "strategic staffing" models similar to a strategy used in the Charlotte-Mecklenburg, North Carolina school district.

A Congressional aide emphasized to *Politics K-12* that the Harkin/Enzi bill would no longer require schools to offer public choice or tutoring. Under the Plan B State Waiver Initiative, the 20% set-aside for tutoring/parent choice and 10% for professional development would not have to be put in reserve because the LEA would not have to identify schools in need of improvement; such funds could be spent on other Title I allowable activities including interventions in "priority" and "focus" schools, providing high-quality expanded learning time, among other activities (see related Special Report).

Included in the Harkin/Enzi bill are a number of newly-named initiatives which generally have been supported, using a variety of funds, by USED. Reflecting the greater priority being placed on high schools, the new Improving Secondary Schools Program would "award competitive grants to partnerships of high-need school districts and nonprofit organizations to implement innovative and effective reforms both district-wide and in high schools with graduations below 75 percent and their feeder middle schools." Allowable uses of funds would include development of early-warning indicator systems, credit recovery opportunities, graduation promise academies, career academies, early college high schools, and expanded use of Advanced Placement and International Baccalaureate programs. It appears that, unlike the current SIG program, districts with high schools in the lowest-performing five percent category could use such funds, not only for improving individual high schools, but also for district-wide improvements.

The "new" Improving Literacy Instruction and Achievement Program would be similar to the

most recent version of Striving Readers. It would initially provide competitive funding to support the development of comprehensive literacy programs, state leadership teams, and high-quality research-based professional development, including “job-embedded support from literacy coaches,” as well as the use of evidence-based practices to improve literacy and writing.

Somewhat similar to an option in the Plan B State Waiver Initiative which allows 21st Century CCLC funds to be used to support expanded learning time during the school day, there would be a new Title IV, Part D. The Bill Summary states, “In addition to high-quality afterschool and summer learning programs, local communities will now be able to use 21st CCLC funds for programs that increase the total number of hours in a regular school schedule to serve students with the greatest academic needs or to comprehensively redesign and reconfigure a school’s schedule by adding at least 300 additional hours to provide expanded teaching and learning opportunities for all students.” The new program would also encourage “strong partnerships between schools and qualified nonprofit organizations.” Because many such non-profit CBOs and other entities currently operate 21st CCLC programs, the Afterschool Alliance supports the Harkin/Enzi bill more than the Plan B Waiver Initiative.

Building on current level-funded STEM programs under Math/Science Partnerships and other funding sources, the new “Improving Science, Technology, Engineering, and Mathematics Instruction and Support Program” would focus a greater priority on STEM and would award grants to states. These grants would be distributed by formula if the program’s annual appropriation exceeds \$500 million; otherwise, grants would be awarded to states competitively.

One of the new priorities, with earmarked funding, in the Harkin/Enzi bill would focus on one of “the most significant omissions” of NCLB. It would ensure that between two and five percent of Title II funds would be set aside by each state for the “improvement of principal performance and the distribution of highly rated principals.” States and districts would have the flexibility to design teacher and principal evaluation systems using input from teachers and principals. Evaluation would be based on multiple measures, including student achievement and observations of classroom instruction for both teachers and principals and the evaluation systems “must be able to provide meaningful feedback to teachers and principals in a timely manner and provide data to inform decisions about professional development activities.” As *Politics K-12* noted, this provision differs from the Plan B State Waiver Initiative “although the waiver guidance is silent about whether that would specifically entail hiring, firing, and pay bonuses.”

The Harkin/Enzi bill would also codify virtually all of the major provisions under Race to the Top, Investing in Innovation (i³), and Promise Neighborhoods, which could become major bones of contention from GOP quarters during subsequent debates and negotiations -- not only in the Senate, but more importantly in the House.

The initial Harkin/Enzi bill, as anticipated, was greeted with some Republican and even Democratic opposition resulting in a number of amendments during markup between October 18th and 20th. Some of these were adopted, while others were introduced and withdrawn to be resubmitted in the scheduled November 8th hearing. It became clear that Senator Alexander,

with his so-called “fix-it amendments” has become the legislative “broker,” as we suggested in our April 15 TechMIS Special Report and May TechMIS Washington Update. The adopted amendments during markup clearly reflect intent even though the details are lacking or could change, which could affect implications for TechMIS subscribers.

A number of adopted amendments related to turning around the five percent lowest-performing schools. In addition to the six allowable intervention models in the initial Harkin/Enzi bill noted above, Senator Alexander’s “fix-it amendment” would allow SEAs to add a seventh turnaround option which would have to be approved by USED. According to Education Week (October 20th), “Senator Alexander said his amendment gives states the flexibility to develop turnaround options that might work better than those spelled out in the bill.” When he was Governor of Tennessee, Senator Alexander said, “I never thought Washington was ahead of me.” Following up on her proposed turnaround bill submitted in May (see May TechMIS Washington Update), Senator Kay Hagan’s (D-NC) adopted amendment would require that principals assigned to turning around schools in the lowest five percent performing schools have specific training, experience, and a proven record in school improvement, especially in schools receiving SIG funds which are forced to replace principals. Cited in the Hagan amendment as a model leadership training program for principals was the New Leaders for New Schools group. Also passed by unanimous voice vote was another amendment by Senator Alexander that would allow students in the five percent lowest-performing schools to transfer to a better performing school for an extended time period.

An amendment by Senator Jeff Bingaman, (D-NM), a long-time advocate for technology use in education, would reauthorize the Education Technology State Grants Program (E²T²) by amending the program through the adoption of the proposed ATTAIN Act which was supported by a number of technology advocacy groups including SIIA, COSN, and ISTE, among 20+ other associations and groups. The Committee also adopted an amendment by Senator Bernie Sanders (I-VT) which would go beyond the Harkin/Enzi bill by calling for reporting dropouts during high school by tracking students from the 8th to the 9th grade to identify those at-risk of dropping out, which could create an increased demand for “early warning systems.” Senator Lisa Murkowski (R-AK) proposed an amendment, which was adopted, to allow rural schools to meet highly-qualified teacher requirements through the use of distance learning and team teaching. According to Education Sector (October 20th), several other amendments were adopted related to increased funding for professional development for principals and teachers beyond Senator Kagan’s adopted amendment. Senator Al Franken (D-MN) also proposed an amendment, which was adopted, to allow the use of computer-based adaptive testing -- disallowed under NCLB -- as part of state accountability assessments and SEA reporting.

Several other amendments were submitted and withdrawn, to be resubmitted during the November 8th session, including amendments which would:

- modify the formula for allocating Title I funds to ensure equitable distribution to rural LEAs (it is not clear whether it would also include changes in the Title I comparability rules which, according to the New American Foundation, was totally neglected in the initial 860-page Harkin/Enzi draft);

- eliminate highly-qualified teacher requirements and allow states to determine which teachers are qualified;
- eliminate requirements placed on SEAs to plan and report on schools making “continuous improvement” and related reporting on the five percent schools with the widest achievement gaps; and
- increase funding for early childhood programs, submitted by Senator Patty Murray (D-WA), which would complement the new Literacy program in the original Harkin/Enzi bill.

The adopted amendments, as well as those likely to be resubmitted on November 8th, have direct implications for many TechMIS subscribers, particularly amendments related to increased SEA flexibility in selecting types of interventions for failing schools exists; while the intent is clear, the details and interpretations will be derived from further analysis after the November 8th hearing.

The Harkin/Enzi proposal, plus mark-up amendments, carries several general implications for many TechMIS subscribers including:

- A greater emphasis on individual student growth and a focus on “continuous improvement,” which would increase the demand for: programs and tools to individualize instruction; formative assessments to inform instruction and to identify professional development needs; and response-to-intervention type approaches.
- Increased SEA flexibility in selecting interventions for the five percent lowest-performing schools and those with widest achievement gaps.
- An increased priority on secondary school improvement as measured by career and college readiness criteria, with a greater emphasis on AP, IB, credit recovery, and related types of interventions.
- An increased demand for programs, tools, and applications that can be used to facilitate and/or improve the quality of afterschool and extended learning programs at the district level, using freed-up funds from previous SES/parent choice and professional development set-asides.

A number of additional implications relating to marketing and sales approaches also could be attributed directly to what Senator Harkin called a shift to “greater partnerships with states” which would have greater flexibilities in deciding what schools should be targeted with additional funding and what types of interventions should be used.

During a CSPAN interview on October 23rd, Senator Harkin argued that the ESEA reauthorization bill would be much better than the State Waiver Initiative because it would apply to all states and not just the 8-20 states which he believes would be applying for waivers, especially if Senate passage of ESEA could occur before Christmas. He indicated that Senator Alexander has a strategic plan for ensuring Senate passage by that time and GOP support for it in the House thereafter. To the extent that the Harkin/Enzi bill, along with Senator Alexander’s fix-it amendments, coincide with major provisions and requirements under the State Waiver

Initiative, then many of the implications for TechMIS subscribers, though unclear at this time, would be pointing in a positive direction. It should be noted that Senator Alexander did not submit his proposed amendment to prohibit the Secretary's State Waiver Initiative to tie waiver approval to conditions in USED guidance. This suggests some type of "understanding" has been reached between the Senator and Secretary. We will continue to monitor both of these developments.

**Special Report:
USED Provides Additional State Waiver Guidance
Through Frequently Asked Questions (FAQ)
Following Release of Initial “ESEA Flexibility” Document**

A Technology Monitoring and Information Service (TechMIS)
SPECIAL REPORT

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October 28, 2011

On October 3rd, USED provided additional guidance related to the Plan B State Waiver guidance originally outlined in its September 23rd document “ESEA Flexibility,” which we addressed in the September 28 TechMIS Special Report. Of interest to most TechMIS subscribers are some highlighted “flexibilities” and some of the “conditions” which states must meet in order to receive approval of waivers of the ten NCLB provisions and one “option.”

In Sections A-3, A-4, A-8, and A-9, USED reiterates that an SEA may not request only a portion of the flexibilities or implement only some of the major principles; however, they can request waiver approval for additional provisions or for amendments to the SEA’s current accountability plans to obtain additional flexibility (see September [Washington Update](#)). Also, even though implementation deadline dates are stated in the “Timeline for Implementation,” an SEA or LEA “always has the option of meeting the principle earlier than specified. On the other hand, the dates for implementing a waiver represent the earliest time at which an SEA or LEA may take advantage of the specified waiver.” In A-9, the FAQ also states, “In general, an SEA or LEA may continue to implement previously approved waivers of ESEA requirements as long as that continued implementation does not conflict with the SEA’s or LEA’s ability to implement each of the principles of this flexibility.” For example, if an SEA/LEA received a waiver to make specific changes to the SES/parent choice 20 percent set-aside, then under the new flexibility, the specific change would fall under the broader principle and could become effective immediately as long as the specific previously-approved request would not interfere with implementation of the broader or other principles. This would also apply to an SEA implementing “differentiated state accountability models” and SEAs/LEAs in several USED-approved National Pilot programs (e.g., allowing districts to operate their own SES programs or use of growth models).

Under *School Improvement Requirements*, B-9 states, “An LEA need not identify a Title I school

as in need of improvement, corrective action, or restructuring, even if the school has missed AYP for two or more years. Accordingly, the LEA and school do not need to take the required steps that accompany such identification, including developing and implementing a school improvement plan, reserving funds for professional development, or providing public school choice and supplemental educational services (SES), and concomitantly, spending the requisite amount of funds on these activities.”

Under B-10, the use of “freed-up” set-aside funds is clarified as follows, “This flexibility relieves an LEA from the requirement to spend an amount equal to 20 percent of its Title I, Part A allocation on choice-related transportation and SES, and from the requirement to spend an amount equal to 10 percent of its Title I, Part A allocation on professional development. An LEA has the flexibility to spend these funds on any activity allowable under Title I, Part A that is designed to improve student achievement or support teacher and leader effectiveness, including to support the implementation of interventions in priority and focus schools; to provide high-quality expanded learning time in those schools; to implement other activities identified by the State’s differentiated recognition, accountability and support system; or to carry out other strategies to help students succeed, such as public school choice or SES.” The guidance also emphasizes the need for an LEA to “ensure” that adequate funding is provided to implement interventions in priority and focus schools. Moreover, LEAs that receive Small, Rural School Achievement Program (REAP) or Rural and Low-Income School Program funds, can use these funds “for any purpose authorized under the applicable program regardless of the LEA’s AYP status.” These flexibilities free up otherwise set-aside funds to be used for other purposes and encourages use of such funds to support “priority” and “focus” schools. It remains unclear whether “priority” schools which are not Title I or Title I eligible can receive Title I funds which are “freed up” as recently noted by Chuck Edwards Title I-derland. Under B-15, the FAQ clarifies that the ESEA Section 1003(a) SEA school improvement 4% set-aside can be (but does not have to be) allocated to LEAs to serve “priority” or “focus” schools.

While the FAQ (B-17) assumes that most “priority” and “focus” schools will be designated as schoolwide programs, a “targeted assistance” school, which is identified as a “priority” or “focus” school, may be designated as a schoolwide program if “the LEA is implementing interventions aligned with the turnaround principles or an intervention that is based on the needs of the students in the school and designed to enhance the entire educational program in that school, as appropriate” (i.e., whole school interventions). Some states are also likely to request that any “focus” or “priority” school designated as a schoolwide program be allowed not only to use Level 2 and Level 3 RTI approaches funded by Title I using freed-up set-aside funds, but also to adopt and implement Level 1 “core instructional interventions” (see August 3 TechMIS Special Report and Rick Hess blog *Straight Up -- Education Week* in the related Washington Update enclosed). Receiving approval under this waiver request would not only give the schoolwide program flexibility on use of funds, but “The school would also have additional flexibility in the use of reporting of Title I, Part A funds, even absent consolidation, and of Federal funds that it consolidates.” This may encourage some states to allow schoolwide programs to allocate Title I funds for implementation of RTI approaches without violating supplement-not-supplant provisions, which tends to be allowed under current USED “unofficial”

non-regulatory guidance.

Under B-19, the FAQ clarifies that, if an SEA receives approval for a waiver to transfer more than 50 percent of non-administration funds from one eligible program to another (i.e., Teacher Quality, E²T², 21st CCLC), it also states, “To the extent that an SEA or LEA transfers funds into a single program, such as Title I, Part A, it gains considerable flexibility with respect to the use of its funds as well as flexibility for reporting and accounting for the time and effort of staff whose salaries would then be supported from only one Federal source.” Only a few districts took advantage of the 50 percent flexibility option under NCLB; many hesitated to do so because of reporting requirements to the SEA and other administrative issues which this flexibility would generally remove. Moreover, because districts or schools in corrective action are no longer so designated, the previous limitation that no more than 30 percent of other funds could be transferred into the corrective action school would be eliminated (i.e., more than 30 percent can now be transferred into these “failing” schools).

Regarding the “option” to expand learning time, Section B-24 states LEAs may “use funds for community learning centers under the 21st CCLC program to support activities that provide high-quality expanded learning time during the school day in addition to activities during non-school hours or periods when school is not in session (i.e., before and after school or during summer recess).” This “flexibility” has created tension between after-school and extended learning time advocacy groups. This option also clearly identifies extended learning time as a very high priority for Secretary Duncan who will make final decisions during the implementation of the SEA Waiver Initiative. Some of the expanded learning time activities that would be allowable include providing more time to:

- increase learning time for all students;
- support a well-rounded education including time for academics and enrichment;
- provide for increasing teacher collaboration and common planning;
- partner “with one or more outside organizations, such as a nonprofit organization, with demonstrated experience in improving student achievement.”

Some of the major opportunities for TechMIS subscribers relate to provisions and conditions regarding interventions for the “priority” schools (i.e., the five percent lowest-performing elementary/middle schools and high schools as determined by the SEA) and “focus” schools (i.e., those with the largest achievement gaps or meeting other SEA criteria). As the FAQ (Section C) indicates, not all “priority” schools are necessarily recipients of SIG funds nor are “priority” schools selected by the SEA -- only those in the lowest five percent based on “persistently lowest achievement criteria” (PLA). “Priority” schools that do not receive SIG funding are not required to use one of the four SIG intervention models; however, they do have to follow the “turnaround principles” in the waiver guidance. While an LEA with “priority” schools that are not receiving SIG funding must have a plan to begin interventions aligned with the turnaround principles no later than 2014-15 school year, the LEA must ensure one or more “priority” schools begin implementing interventions no later than the 2012-13 school year. The LEA can use Title IIA and state and local funds, in addition to the four percent SEA set-aside for

school improvement and freed-up Title I set-asides, plus any SIG funding that has been approved to implement interventions. In addition, if a “priority” school exits “priority” status during implementation, it must “continue implementing those interventions for three years to ensure full and effective implementation,” which represents an extended funding stream. One can assume that priority schools that receive no SIG funding have greater flexibility in terms of the types of interventions that can be used.

An LEA can implement interventions for “focus” schools which include, but which are not necessarily limited to, examples in the SEA waiver request. However, the interventions “must be appropriate to a school’s needs and needs of students.” As the guidance (C-45) states, “Additionally, an LEA might consider partnering with external providers that have demonstrated expertise in meeting the identified needs of the school and its students.” Moreover, the LEA must begin implementing one or more interventions in each of its “focus” schools by the beginning of the 2012-13 school year, which is much earlier than the required implementation date for all “priority” schools. When implementing interventions in a focus school, an LEA must address the needs of subgroups -- particularly English language learners and students with disabilities -- taking into account both the academic and non-academic needs of such students. This provides increased flexibility for the use of behavioral and related interventions.

While the SEA may develop and provide a list of approved external providers, the use of a rigorous review process, the FAQ states in C-49, “Regardless of the level at which the review takes place, it should take into account, at a minimum, the research base for the services offered by the provider, the track record of the provider in achieving the results promised, the provider’s experience in supporting specific interventions required in each priority and focus school, and the financial integrity of the provider.”

Regarding the types of interventions that can be used in priority and focus schools, the FAQ (D-4) notes that, if a state has a law which conflicts with the flexibility in the waiver initiatives and turnaround principles, the SEA can still request a waiver; however, pending a change in the state’s law, such changes must be made before implementation can actually occur. Florida is confronted with such a unique situation; in 2006 then-Governor Jeb Bush signed a law which was a mirror image of the NCLB SES set-aside provisions. These would have to be changed for Florida to be able to actually implement some of the changes provided in the flexibility guidance.

The two major funding sources for interventions for priority and focus schools are the current Title I set-asides for SES parent choice (20%) and professional development (10%) -- which are likely to total about \$2 billion -- and the SES 4% set-aside for school improvement which could be about \$600-700 million. SEAs and/or LEAs have several policy options. If an SEA is pleased with the four SIG intervention models and there is indication that they are being implemented effectively with good results, then the state may allocate more of the 4% set-aside for “priority” schools that already receive SIG funds. If, on the other hand, the SEA believes alternative intervention models are more appropriate and effective, then it may allocate large portions of the 4% SEA set-aside to “priority” schools, which do not receive SIG funding, and/or “focus” schools. States with Differentiated Accountability Models under previous waivers may

follow the second option. SEAs may also encourage LEAs to use freed-up set-aside funds for state-recommended interventions, especially in “focus” schools. On the other hand, some LEAs and districts are likely to use some of the freed-up set-aside funds for their own homegrown interventions or innovative approaches which they perceive would be effective in their districts. Such districts are likely to consider proposals to use “innovative” approaches developed by private firms.

For a copy of the October 3rd FAQ go to: www.ed.gov/esea/flexibility

Washington Update

Vol. 16, No. 10, October 28, 2011

Thirty-Nine States Have Submitted Letters of Intent to Accept Secretary Duncan's Waiver Offer, While Most of the Remainder Will Likely Follow This Year or Even Next Year

As of October 12, USED listed 37 states that have submitted letters of intent to request NCLB flexibility by mid-February, with two states (Arizona and Utah) submitting after that date; another two states (Connecticut and Oregon) indicated positive intent without indicating the date (see Exhibit 1). Most of the remaining states will likely submit waiver requests this year or possibly in the 2012-13 school year. Because most of the conditions that must be met by SEAs requesting waivers are identical or similar to reform initiatives and assurances required for receiving Race to the Top grants, 11 of the 12 winning Race to the Top grantees plan to submit by November 14th, with New York's decision pending Regents approval.

The following states, which in the past received differentiated accountability model approval, have submitted letters of intent: Florida, Georgia, Indiana, Arkansas, Illinois, Maryland, Ohio, and New Mexico. It appears that most of the "specific" differentiated accountability provisions previously approved by waivers would fit into the "broader" general conditions in the current state waiver initiative without conflicting with "broader" general conditions would be allowed under Plan B. Some states, such as Florida, appear to be anxious to move quickly in implementing their state differentiated accountability

model as indicated by the Florida SEA notice to LEAs soliciting comments for preparing its draft application by October 17; the SEA posting on their website states "With Florida's implementation of its statewide Differentiated Accountability school improvement program, coupled with our existing school accountability program, our desire is to fully have resources channeled to best serve the needs of our students."

As USED officials have reiterated since the formal announcement of the Plan B State Waiver Initiative on September 23rd, the submission of letters of intent by states was primarily intended to assist USED in determining the number of internal staff -- and most importantly peer reviewers -- that will be needed to review applications. Submission of intent letters by October 12th was not a necessary condition to submit waiver requests even during the next school year. With more than 45 states committed to implementing the CCSSO "new generation accountability principles," on which many of the conditions and requirements of the Plan B initiative are based, USED officials, along with many observers, believe that most of the remaining ten states are likely to apply over time. We agree with this assessment largely because of one reason: States not receiving waiver approval of all ten allowable NCLB provisions and one option (see September 28 TechMIS Special Report) will have to operate under NCLB provisions. This will result in the vast majority of schools and districts in those states being identified for

improvement and falling under NCLB sanctions. As an alternative to seeking waiver approval, some of the states may seek approval of amendments to their “state accountability work plan” which could free them from some of the NCLB requirements and sanctions; this has already occurred in Idaho and Montana.

The possible passage of the Senate ESEA Reauthorization bill, however, could affect some SEA decisions whether to submit waiver requests and when, as noted in the enclosed Special Report.

Based on interview and other information gathered by Education Week reporter Michele McNeil (October 14), as well as our own recent discussions with state officials and other observers, some of the issues raised by states that have not submitted letters of intent are highlighted below.

New York, one of the Race to the Top winners, according to McNeil, is awaiting decisions to be made by the State Board of Regents, likely by the end of October. A major issue appears to be teacher evaluation conditions which have risen to the surface as a result of lawsuits by teacher groups. It is important to note that only SEAs can submit waiver requests, not large, urban districts such as New York City Public Schools. California State Superintendent Tom Torlakson, as we previously reported in our last State Profile Update, has expressed concerns about the costs of the conditions necessary to participate in the waiver initiative, estimating that the state would have to come up with more than \$1.5 million to implement some of the conditions. As one indication of state cost considerations figuring into the SEA’s decisions, California recently turned back

approximately \$6 million in the State’s Longitudinal Data System allocation because of cost and related reasons, which are not likely to allow California to apply for Round 3 Race to the Top Early Childhood Challenge grants. While in the state legislature, Torlakson voted against California’s participation in Race to the Top.

Utah officials, according to McNeil, are concerned about the creation of any “unintended, bad consequences” which could occur as part of the conditions for applying. It should be noted that, several years ago, under the previous administration, then-Governor Huntsman threatened to pull out of NCLB because of the unintended effects of NCLB provisions on the state’s proposed and then implemented accountability system.

According to McNeil’s interview with Alabama officials, their concern is whether the waiver conditions would “derail” its state priorities on improving reading skills in early grades and offering more college-level opportunities in high school. Indeed, Alabama was cited, prior to and after the passage of NCLB’s Reading First program, as a model state with some of its officials playing a lead role in the formulation of Reading First and its subsequent implementation. One possible concern is whether state officials would be allowed to encourage districts to expand implementation of RTI approaches using different Federal funding sources without having to be concerned about supplement-not-supplant issues. Alabama’s failure to submit a letter of intent could be attributed to the ongoing process of deciding who should fill the role of State Superintendent recently vacated by State Superintendent Joe Morton who, by the way, was co-chairman

of the CCSSO task force which developed the “new generation of accountability systems principles.”

Most submitting states (Maine, New Jersey, Rhode Island, Tennessee, Louisiana, Florida, New Mexico) are also members of the spin-off group from CCSSO, referred to as the Chiefs for Change which is headed by Indiana State Superintendent Tony Bennett, support the Duncan waiver initiative. Bennett’s strong leadership within this group of state superintendents should generate support and result in all member states eventually submitting waiver applications. Only Oklahoma had not submitted a letter of intent by October 12th.

Over the last year or so, Texas has gone on the record opposing many of the Administration’s policies including ARRA, adoption of the Common Core Standards, and accepting stabilization funds and EdJobs funds. State Superintendent Scott recently withdrew from the CCSSO.

New Pennsylvania Governor Tom Corbett has also publicly expressed opposition to many new Obama/Duncan priorities and has indicated that the state is not likely to apply for Race to the Top funding under Round 3 unless they would have the flexibility to rewrite totally their Round 2 application which was prepared under former-Governor Rendell’s regime.

It is important to note that the recently announced Senate full-comprehensive reauthorization of ESEA refers not only to the principles developed by the CCSSO, but also other “associations of state superintendents” apparently referring to the Chiefs for Change.

House Appropriations Committee Would Increase Both Title I and IDEA Funding by \$1 Billion in FY 2012 But Would Eliminate or Reduce Funding for the Administration’s Flagship Programs Such as Race to the Top and School Improvement Grants

The House Committee mark for Title I would represent a 6.9 percent increase over FY 2011, while IDEA would get a 10.7 percent boost. Funding for Race to the Top, Investing in Innovation fund (i³), Promise Neighborhoods, and School Improvement Grants would be eliminated, along with more than 25 other programs, such as the Fund for Improvement of Education, which previously included earmarks for non-profit groups such as Teach for America, among others. As we reported in our last [TechMIS Washington Update](#), the FY 2012 budget proposed by the Senate earlier would basically level-fund Title I and IDEA, while continuing funding for most of the Administration’s priorities. Interestingly, both the House and Senate would dramatically increase funding for Head Start within the Department of Health and Human Services (DHHS). As the *Politics K-12* blog noted about the contrasting proposed budgets, “That sets up an interesting political dynamic. District officials, who are non-partisan but often side with Democrats when it comes to education spending, prefer the formula hikes in the House Bill. They’d rather see money for special education and Title I than funding for the Obama Administration’s reform priorities, which are competitive grant programs that don’t go to everyone.”

The bottom line is that the gap between the two budget proposals is so large that it is virtually impossible to apply any rules of

thumb as to what, if anything, will result from negotiations, especially in light of the potential sequestration which could occur later this year as a result of action, or inaction, by the Congressional Super Committee. As Jennifer Cohen in *Ed Money Watch* noted, "...negotiations over Department of Education funding are likely to be challenging and drawn-out."

States K-12 Funding to Districts Has Been Reduced Over the Last Year in 37 of 46 States With Comparable Data According to the Most Recent Center on Budget and Policy Priorities Report Update

The Center on Budget and Policy Priorities (CBPP) which tracks state funding levels for K-12 education, has updated its earlier report, finding that, of the 46 states with budget data allowing historical comparisons, "37 states are providing less funding per student to local districts in the new school year than they provided last year and 30 states are providing less than they did four years ago." More than 90 percent of the nation's student population resides in these 46 states according to CBPP. Factors contributing to these reductions include exhaustion of, or failure to use, "rainy day" funds, dwindling availability of ARRA education stimulus funding, a lowering of state revenues by an average of seven percent since 2008, and hesitancy of most states to raise taxes. In addition, costs have risen due to inflation and an increase of about 260,000 more K-12 students since the recession began in 2008. One result, according to CBPP, has been a reduction of 278,000 K-12 teaching and other jobs by September 2011 compared to 2008.

Thirty-seven of 46 states for which data are available have cut per-pupil education funding in the new school year: four states (Illinois, Kansas, Texas, Wisconsin) have cut spending by ten percent or more; and 15 states (Nebraska, California, Ohio, Pennsylvania, Arizona, New Mexico, New York, Oklahoma, Alabama, South Dakota, Hawaii, Colorado, Florida, New Jersey, and Utah) have cut per-student funding by between five and 9.9 percent. In many of these states, purchasing products and services will generally be "tight" unless local revenues increase and/or Federal funds, such as Title I carryover funds or extended ARRA liquidation funds through waivers, are available. CBPP reports that the states which are projecting inflation-adjusted percentage increases in state funding this year include: West Virginia (8.1%), Maryland (4.6%), South Carolina (4.2%), North Dakota (3.9%), Vermont (2.9%), Massachusetts (2.6%), Oregon (2.0%), and Wyoming (1.4%). While some states such as Rhode Island, Massachusetts and Maryland have received multi-million dollar Race to the Top grants over the next several years, other states such as South Carolina, while increasing state per-pupil expenditures this year over last, are still this year 24 percent below the FY 2008 state K-12 funding level. As the current report reiterates, Alaska, Montana, North Dakota, and Wyoming have significant oil and gas revenues and therefore have not suffered the same economic problems as other states. Other states, such as Maryland have increased taxes; Massachusetts and Iowa have maintained education K-12 funding while cutting funds in other areas. CPBB states, "While state revenues are starting to improve across the country, the rate of growth is generally not nearly sufficient to make up for multiple years of revenue loss."

The CBPP report presents a “worst case” scenario in several respects. The state funds used in the comparisons were, for the most part, formula funds which, in about half of the states, do not include some major categorical funds which may or may not have been reduced significantly (e.g., state compensatory education funds). However, in many states, formula aid does have a “weighting” that targets low-income or poor student populations and the Center’s analysis was likely conducted before USED’s important recent policy announcement which allowed states with unobligated ARRA funds to receive waivers to extend the period of “liquidation” beyond December 31st through September 30, 2012. The report notes that as of June 30th, about \$6 billion of total Title I and IDEA ARRA funds have not been obligated. By September 30th, the unobligated amount for Title I, IDEA, and SFSF was about \$2.3 billion, of which \$718 million was Title I ARRA funds (EdMoney.org). Cited in the report, Minnesota illustrates the complexity of analyzing state data. CBPP notes that \$2.2 billion of Minnesota formula aid withheld from districts in 2010, 2011, and 2012 is expected to be reimbursed in the future; those withheld/delayed funds, which included compensatory education aide, were not included in CBPP’s analysis. In addition, Minnesota received slightly more than a 20 percent increase in Title I district allocations for this year, funds which target some of the same student populations receiving unallocated state compensatory education aid. Even with such complexities, CPBB reports appear to be the most timely and accurate analyses which are readily available.

As the Number of Children Ages 6-21 Receiving IDEA/Special Education Services Continues to Decline, the Possible Reasons Why Continue to Grow, Although Many Point to Expanded Use of Response-to-Intervention Approaches

As noted in Education Daily (October 21st), USED reports that, last year, the number of children ages 6 through 21 receiving IDEA funds declined one percent over the previous year to about 5.8 million students, continuing a six-year downward trend -- a reduction of 4.8 percent, or almost 300,000 children, since 2004. As we reported in our September 2010 TechMIS Washington Update, the National Center on Learning Disabilities has reported a proportionately larger percentage decline in the number of students with specific learning disabilities being served in special education programs over the last decade. While expert observers have suggested different reasons for the decline, most tend to point to the expanded use of Response-to-Intervention approaches. RTI implementation could be expanded if either the State Waiver Initiative is implemented as planned or the ESEA reauthorization (a la Harkin/Enzi) is passed.

In an interview with Mark Sherman, Special Education staff writer for Education Daily (October 21st), Lou Danielson of the American Institutes For Research (which operates the National RTI Center) and who is the former Research Director at USED/OSEP, offered two theories: “the federal government stopped allocating funds on the basis of child count under IDEA 1997. That eliminated any so-called ‘bounty’ for identifying a child as a student with a disability....Second, schools no longer have any reason to shunt children

into special ed as a way to make the rest of the student body look good on state tests.” Danielson said that another reason for the decline could have been that, under NCLB’s requirement to assess student proficiency for subgroups of students with disabilities, district officials have an incentive to keep the number of students within the disabilities subgroup less than the SEA “N-size,” which in most states is 30 students. If the number of identified students with disabilities is less than the N-size, the subgroup was exempted from being included in the AYP calculation. Candace Cortiella, Director of the Advocacy Institute and *IDEA Money Watch* contributor, agreed stating, “I think [NCLB] is responsible for part of the decline by virtue of people attempting to keep their [child count] numbers low, so that they’re below the N-size.” Cortiella added, “That’s why the Education Department’s offer to waive various provisions of ESEA and proposals in Congress to replace AYP with the concept of ‘continuous improvement’ are so important. It will be interesting to see, as we phase out of that system, what happens.”

Our analysis thus far of the State Waiver Initiative and the Harkin/Enzi ESEA reauthorization proposal suggests two other changes could impact the trend. On one hand, the State Waiver Initiative would no longer allow the use of the “alternative assessments using modified standards” for up to two percent of students (the so-called two percent test) which had been used in more than 15 states. These students would now have to take the Common Core State Assessments or other USED-approved statewide assessment for assessing “continuous improvement” of this cohort consisting of between 550,000-600,000 students. Reasonable accommodations

would, however, be allowed and likely would be built into the computer-delivered assessments. On the other hand, as amended in the recent HELP Committee “markup” of the Harkin/Enzi bill, computer adaptive testing, which was not allowed for state accountability and assessment purposes under NCLB, would now be allowed. The net result of these two developments is difficult to predict at this time. However, one very likely positive impact will be increased use of Response-to-Intervention approaches which, according to Danielson, Cortiella, and other observers, also explains the current decline in the number of special education students served under IDEA and particularly the reduction in the number of students designated as having specific learning disabilities. As Danielson reportedly argued, “The drop in child count may also reflect the wider use of RTI and related efforts to help children at the first sign of difficulty.”

As we reported in the September 2010 TechMIS Washington Update, numerous observers attributed the decline in students “inappropriately” placed in special education programs to the improved quality of reading instructional materials generally and to the use of well-implemented RTI methodologies and approaches. Research compiled by the National Center on RTI appears to be influencing policy as virtually all of the SIG, Race to the Top, and other reform programs encourage the use of RTI through “continuous improvement” using assessment data “to inform instruction” and other provisions. And, as we reported in the July 7 TechMIS Special Report, it is very likely that a number of states, under the Waiver Initiative, will seek additional flexibility to use Title I funds, for example, to fund expanded use of RTI in schoolwide

programs without violating supplement-not-supplant requirements. And, as far as the Senate ESEA reauthorization bill is concerned, Rick Hess in his *Straight Up Education Week* blog (October 25th) stated, “There is some good news on the supplement not supplant front...Congress is considering language that would help clear up the confusion over how the rule is tested in schoolwide programs, but given the substantial impact that supplement not supplant has outside of the schoolwide model, and even outside of Title I, it could be very powerful if Congress addressed this rule more broadly.” It is important to note that the most recent Complete K-12 Report: 2011, by Education Market Research, reported that reading/math intervention sales increased 52.9 percent between 2009 and 2010, the largest percentage increase of any supplemental sales category.

Whether or not the decline in the number of special education students served under IDEA continues, the sales growth of math, reading, and most likely behavioral interventions will continue to grow in the near future.

Miscellaneous

a) Of the 35 states and District of Columbia applying for the Race to the Top Early Learning Challenge Grants, all but Tennessee of the Round 1 and 2 Race to the Top winning states applied. According to peer reviewers during Round 1, Tennessee’s Early Childhood component was rated very high. As noted in the August TechMIS Washington Update, states which submitted applications could receive rewards between \$50 and \$100 million

based on population counts of children from low-income families. Over the last few months, a number of states (e.g., Connecticut) have undertaken state legislative and other initiatives in order to increase the probability of their receiving competitive grants during this competition totaling \$500 million. Unlike the Race to the Top “regular” competitive round, the Early Learning Challenge Race to the Top competition and implementation are being jointly administered by USED and DHHS.

Finalists from Race to the Top Round 2 are eligible to apply for the remaining \$200 million for the “regular” Race to the Top funding. As reported in the September Washington Update, only six of nine states are likely to be eligible or will decide to apply for the \$200 million in Round 3.

b) After the Senate failed to pass the Obama \$447 billion jobs measure several weeks ago, more recently it also rejected the \$30 billion “piece” that would save almost 400,000 education jobs in one year and additional jobs for local government firefighters, police, and first responders. The \$30 billion jobs component failed on a 50-50 test vote, significantly less than the 60 votes required for passage. In addition to strong Republican opposition, two Democrats and an Independent failed to vote for the jobs measure. According to The Washington Post, most Republicans and some Democrats questioned whether the Jobs Fund would end up in locations that have “slashed education jobs the most.” Others questioned whether the money would be used to hire teachers

and invest in schools.

- c) According to Sarah Spark's *Inside School Research* blog at Education Week, the What Works Clearinghouse has launched a new website which is supposed to be more relevant for use by principals and teachers. Research reports and reviews cover 15 topics including literacy, education technology, career readiness and college access, school choice, teacher/leader effectiveness, student behavior, and students with special needs, among others. According to Education Week (October 6th), the Clearinghouse will also add a new topic and related reports on interventions for students with emotional and behavioral disorders which evidently has been in high demand. The Clearinghouse also plans to take search tools to Facebook to allow visitors to find, "like," share, and comment on any of the reports and reviews.

Over the last decade, the What Works Clearinghouse (WWC) has created an enormous amount of confusion (e.g., whether a specific technique worked, or whether the study which found the technique did or did not work was conducted in a scientifically-based research manner) which caused some TechMIS subscribers to be hesitant to forward any research studies of their products to the Clearinghouse for review. In addition, two other, more practical and useful clearinghouses, Johns Hopkins University's Best Practice Encyclopedia and the National Center for Response to Intervention, have been funded. Whether the "facelift" will improve the WWC's

perceived value to education practitioners or whether the WWC target will be, for the most part, the research community, remain to be seen.

- d) USED has awarded 66 grants totaling \$177 million under the GEAR UP program to help at-risk students prepare for college and provide support for success in post-secondary education. \$77 million was awarded to 19 states and \$100 million for 47 partnership grants in 24 states. The six to seven year grants require matching funds to serve entire groups of students usually beginning no later than the seventh grade and follow them through high school. Fifty-six of the grants were new, while 88 were continuation projects which began during the last five years. Most of the grant recipients were universities. However, in some states such as Texas, \$6.3 million was awarded to Texas A&M International University while San Antonio Independent School District received \$4 million. For a list of grantee winners' primary contacts and contact information, go to: <http://www.ed.gov/news/press-releases/new-gear-grants-awarded-help-more-275000-middle-schoolers-get-pathway-success-co>
- e) Within the 587 education "entities" and non-profit organizations that have submitted applications for the \$150 million Investing In Innovation (i³) grant program, more than 300 are submitting for the second time. An analysis conducted by Michele McNeil, Education Week (October 25th), indicated that applications came from every state, with Massachusetts having 22 applicants. Of the five application

areas, the “clear favorite” was projects involving science, technology, engineering, and math (28 percent) with the remainder about evenly divided among teachers and principals, standards and assessments, school turnarounds, and rural districts. Previous winners in the scale-up category, which applied once again, included Teach for America and the Knowledge is Power Program (KIPP). Nearly 81 percent of the applicants were for developmental grants (of up to \$3 million) compared to 68 percent the previous year. Fourteen applicants (2 percent) applied for scale-up projects (up to \$25 million) this year compared to nearly four percent in the first round. Applicants for scale-up grants of \$20 million or more included: Murray County Board of Education (Columbia, Tennessee); David Douglas School District (Portland, Oregon); National Guard Youth Foundation (Alexandria, Virginia); National Institute for Excellence in Teaching (Santa Monica, California); and Old Dominion University Research Foundation, (Norfolk, Virginia). All applicants have been listed by USED at: <http://data.ed.gov/grants/oii/2011/investing-in-innovation>

As we reported in our August 2, 2011 TechMIS Washington Update, the selection process used this i³ round differs from that used previously in that the only reviewers will be internal USED staff with no third-party peer reviewers involved. The Secretary will make the final decisions. Also, the Secretary has discretion to give additional priority to high-quality rural proposals. An analysis conducted by USED shows that 338 applicants were

partnerships of non-profits with LEAs or with consortia of LEAs; 181 were LEAs, and about 70 applicants did not provide their status. As we have reported over the last two years, opportunities for for-profit organizations are limited to situations where the winning applicant wishes to use existing procurement methods to purchase products or services. Developmental efforts by for-profits are hampered by the lack of copyright protection.

- f) On October 13 we sent a TechMIS Stimulus Funding Alert addressing a 1.5 percent rescission included in the Continuing Resolution for FY 2012 through November 18th. USED communications have created some confusion which we attempt to clarify in this update.

One question raised by experts and SEA officials relates to when adjustments have to be made by SEAs in their reallocations of the amounts districts would actually be receiving. On October 6, a USED memorandum to Chief State School Officers stated that the revised allocations would result in a \$163 million decrease nationwide in FY 2011 Title I, Part A funds and a reduction of \$129 million in IDEA, Part B grants to states, along with other smaller cuts to several programs for a total reduction of \$329 million. Our Stimulus Funding Alert reported our understanding that the impact on Title I and IDEA funds allocated for school year 2011-12 would be immediate. However, the October memo, which we subsequently received, stated that “...a state educational agency may choose to make the adjustments resulting from the

changes in this revised set of allocations when it calculates final FY 2012 (SY 2012-13) allocations next year.” USED referred to guidance it provided in November 2006 when a very small funding mistake was made in allocations for that year affecting all 12,000+ Title I districts. A discussion with USED official Sandy Brown indicated that the October 6 memo was somewhat “misleading” because the current amount of money (i.e., the 1.5 percent rescission) was much larger than the “mistaken” amount in 2006. This year, SEAs cannot make the correction from their one percent administrative set-aside as they did in 2006 when no changes to district allocations were necessary. Subsequently, USED sent a letter with the changes the states would have to make in determining the adjusted allocations for each of the districts for the remaining amount of Title I funds for this school year (2011-12) (see table). USED also stated that it would be “impractical” for SEAs to make up for the 1.5 percent rescission through adjustments only in the SEA administrative one percent set-aside and that the rescissions would take effect immediately, not next year.

The second issue which has been raised by groups such as the Committee for Education Funding (CEF) relates to the expected FY 2012 Omnibus Appropriation Act. If Title I is level-funded, would the level-funding amount be based on the actual FY 2011 before 1.5 percent rescission amount, or would

it take into account the \$129 million Title I rescission? CEF, in its letter to Congress urged appropriators to restore the total \$329 million in the FY 2012 Labor, HHS, and Education Appropriations Bill as the baseline for the FY 2011 appropriations level “to avoid permanently lowering the baseline level of funding.” As reported by Education Daily reporter Frank Wolfe (October 18th), the baseline issue can be significant as baseline reductions “look to be a new part of the education landscape.” As we noted in our October 13 Stimulus Funding Alert, Wolfe states that, if the 12-member Super Committee’s recommendations do not result in a projected \$1.2-\$1.5 trillion ten-year debt reduction by November 23, then the so-called sequestration procedure would kick in. We and other observers believe that up to seven percent cuts in K-12 education funding could occur, taking effect in January 2013. And as Wolfe notes, discretionary cuts in other education areas “are nearly certain.” In a recent discussion, Rich Long, Executive Director for National Title I Association, felt as we did that the 1.5 percent rescission could generate additional pressures on the Super Committee and Congress to minimize the need for “sequestration” for the end of this year. We will continue to monitor developments in this area and report them to TechMIS subscribers in a timely manner.

Alabama Update

October 2011

The Dothan Eagle reports that the Alabama State Department of Education has a \$5.3 million contract with STI to build the State's *iNow* student data system. Intended to track attendance, grades, and other information for all Alabama public school students, *iNow* has encountered a number of problems including dropped data and an unfriendly user interface. STI and the SEA established a late October deadline for the problems to be corrected.

Arizona Update

October 2011

The Arizona Republic reports that, beginning in 2013-14, all third-graders in Arizona must prove they can read proficiently or be held back. The requirement is part of House Bill 2732, known as Move On When Ready, which is modeled after a 2002 Florida law. Results of this Spring's Arizona's Instrument to Measure Standards (AIMS) test indicate that more than 4,000 Arizona third-graders are currently "far below" the State's reading standards.

California Update

October 2011

California State education officials say that, in order to qualify for a waiver from No Child Left Behind rules, the State will need to spend billions of dollars to implement fully USED's requirements for teacher evaluations and new learning standards. The think tank, EdSource, places a \$1.6 billion price tag on adoption of the Common Core State Standards, including new curriculum and texts (\$800 million), teacher training (\$765 million), and principal training (\$20 million).

Education Week reports that the California School Boards Association and the Association of California School Administrators, along with the Los Angeles, San Francisco, and Turlock school districts, have sued the State for reinstatement of \$2.1 billion in education funding cut from the 2011-12 State budget. The plaintiffs argue that the money must be given to districts under Proposition 98, a 1988 initiative that establishes a minimum level of funding for schools. The State says that K-12 schools are receiving about the same amount as last year and that other programs were cut significantly as part of the effort to close the State's \$26 billion budget deficit.

California Governor Jerry Brown has signed into law the second part of the State's DREAM Act. The first half of the DREAM Act allows undocumented immigrant students who have graduated from a California high school and who are on a path to legal citizenship to apply for State-funded scholarships and other aid at State universities.

The Los Angeles school district has reached a resolution of a proactive civil rights action that incorporates a drastic revamping of the district's English language learner program. The agreement ends an 18-month enforcement action by USED. With nearly 30 percent of its enrollment classified as ELLs, Los Angeles was found to have no centralized process for evaluating services for ELLs or for improving those services. USED also determined that most

ELLs in Los Angeles middle and high schools still struggled academically after being rated as proficient in English. The program overhaul will include:

- develop and implement a new English Learner Master Plan, monitor its implementation, and evaluate its success for ELL students and teachers;
- conduct professional development aimed at strengthening the delivery of instruction to ELLs;
- communicate with parents so that they understand the district's ELL program and their children's academic progress; and
- ensure ELLs have access to the district's college and career ready curriculum with the information needed for post secondary success.

Colorado Update

October 2011

A three-year study of the Denver school district's performance-pay system -- known as ProComp -- has found that at least two bonuses available to teachers correlate to improved student test scores. As reported in [The Denver Post](#), the study found that:

- teachers who participated in ProComp did not always set higher student objectives, but, if they did, they were more likely to meet them;
- the effectiveness of teachers who earned bonuses, compared with those who did not, was equivalent to the difference in effectiveness between a first-year teacher and a second- or third-year teacher;
- the district has retained an average of 160 more teachers each year since ProComp began five years ago.

Currently, more than 80 percent of Denver teachers participate in ProComp; new teachers are automatically placed in the ProComp system.

Connecticut Update

October 2011

In an effort to enhance its application under the Federal Race to the Top Early Literacy Challenge competition, Connecticut has established a new Early Childhood Office and will develop plans to create a coordinated system of early care, education, and child development. The State hopes to win \$50 million under the RTT-ELC, according to [The Hartford Courant](#).

Also according to the [Hartford Courant](#), Connecticut is considering a change to its special education regulations including whether or not to continue requiring school districts to bear the burden of proof in disputes with parents over a child's needs. Unlike many states, Connecticut does not place the heavier legal burden on parents in such disputes, a long tradition since the 1970s. The State Board of Education took no action on the issue in early October but is expected to revisit the issue in 2012.

Delaware Update

October 2011

For the current school year, Delaware has rolled out a modified, five-component teacher rating system that includes student test score data. The State has yet to create a complete system for teachers of such untested subjects as auto mechanic vocational and music teachers. Teachers who score low on the student test score portion of the rating system will, therefore not face negative consequences in 2011-12. Teachers will be eligible for rewards if they do well, with the money coming from the State's \$119 million Race to the Top grant. The U.S. Department of Education has threatened to withhold \$13.8 million of the RTTT award if Delaware does not, by next July, create the complete teacher evaluation system as specified in its RTTT application.

Florida Update

October 2011

The Miami Herald reports that Florida is facing a \$1.5 billion revenue shortfall at the same time costs for health and education are expected to go up as much as \$1 billion. Last legislative session, State lawmakers cut spending and eliminated 4,000 State jobs to balance the budget. But, despite tax incentives, the new revenue forecast for 2011-12 is \$600 million lower than projected in March; for 2012-13, projected revenues are \$968.3 million lower than predicted.

According to the Orlando Sentinel, Florida has applied for \$100 million under the Federal Race to the Top-Early Learning Challenge competition. At first, Florida was ineligible for the RTT-ELC award because the State legislature had rejected a Federal child-abuse prevention grant. But, at the urging of Governor Rick Scott, the legislature reconsidered. The State's grant proposal says that participation is voluntary for child-care businesses, but the application was opposed by the Florida Association of Childcare Management who said the program is "invasive." The Governor has said the State would back out of the award if it means "new burdensome regulations will be placed on private providers."

According to the Orlando Sentinel, Florida has proposed a new scoring system for the Florida Comprehensive Assessment Test (FCAT) which is used for promotion, course assignment, and graduation decisions. If the proposed, more rigorous scoring system had been in place this year, more third-graders would have been held back, more seniors would have failed to meet the State's increasing graduation requirements, and more students would have required intensive reading and math interventions. Florida also inaugurated a new algebra end-of-course exam for middle and high school students that would have seen a 45 percent failure rate under the proposed scoring system.

In March, Governor Scott signed into law a teacher merit pay bill to become effective in 2014. Under the plan, teachers will receive one of four performance ratings, half of which will be based

on student growth on standardized tests. As noted in The Miami Herald, the Miami-Dade County school district -- three years ahead of the State schedule -- has negotiated a merit pay plan with the local union as part of its \$73 million share of Florida's award under the Federal Race to the Top competition. A total of \$14 million has been allocated for teacher bonuses this year, with awards ranging up to \$25,000. As many as 16,500 teachers -- 83 percent of all teachers in the district will receive RTTT bonuses this year.

Georgia Update

October 2011

As reported in The Atlanta Journal-Constitution, a new commission has been established to recommend new ways of funding Georgia colleges beyond enrollment numbers. Following the lead of other states, Georgia hopes to incorporate such success factors as graduation and retention rates into the State funding equation. Statewide, about 44 percent of university students graduate within six years, but there is wide variation among colleges. About 80 percent of students from the University of Georgia and Georgia Tech graduate within six years, but less than a third graduate on time from Augusta State and Clayton State. Because the State University system spends more than \$20 million on remedial classes, the new Commission may also address the issue of admitting students who are not ready for college-level work.

In the wake of Atlanta's scandal revealed this summer, in which widespread cheating was found by educators in nearly half of the district's schools, the district is making an effort to give extra help to students whose test scores were artificially inflated, as well as other struggling students. District officials have estimated that \$4 million will be needed to provide tutoring for 3,000 students in English language arts and 5,500 students in math. Although most of the needed money will come from Federal funding, about \$600,000 more will be needed. It is expected that the tutoring will be "tailored remediation" with students pulled out of class for special help.

Idaho Update

October 2011

In October, Idaho school districts and charter schools received \$16 per student in State funding earmarked for classroom technology. Resulting from legislative approval of Senate Bill 1184, the money represents half of the total allocation for this year; the remaining portion will be made available this Spring. The money -- a total of \$4.3 million -- can be spent on such items as: digital slates, classroom sound systems, computers, portable media players, eReaders, student response systems, digital cameras, and interactive whiteboards. Districts will continue to receive technology funds through 2017.

As noted in The Spokesman-Review (Spokane), Idaho's new school reform law, called "Students Come First," includes a new emphasis on online learning, as well as a shift of funds to technology and merit-pay bonuses and a computer for every high school student. There will be a 2012 referendum that would allow Idaho voters to confirm or reject the new law. Through an artifact in the State's funding formula, online course providers could get a great deal more State money in some districts than in others for providing a class to students. For example, a one-semester online class for a Boise student would pay \$210 out of the district's State funding allocation, while the same class in a smaller district (e.g., Midvale) would pay the provider \$733. This issue will be brought up for further discussion in a November meeting of the task force that oversees "Students Come First."

Illinois Update

October 2011

A study from the University of Chicago's Consortium on Chicago School Research has shown that high school performance in the Chicago school district has improved more than elementary school performance -- contrary to the conceptions of many local educators. The researchers found that publicly reported school performance statistics were not accurate measures of progress because of differences in testing protocols and renorming over time. The study also noted that the achievement gap between African-American and other students has increased over the past two decades.

As we reported last month, the Chicago school district has established a pilot incentive program which they hope will convince schools to adopt a longer school day. However, as of mid-October, only 13 of the district's 482 elementary schools have agreed to the switch which requires waiving of teachers' collective bargaining rights. Participating schools would add 90 minutes to their school day. The Chicago Teachers Union has opposed the program as an attack on collective bargaining.

Iowa Update

October 2011

The Sioux City Journal reports that Iowa Governor Terry Branstad has set forth a radical education reform plan that includes:

- a four-tiered (apprentice, career, mentor, master) teacher pay structure;
- peer review for promotions and value-added evaluation system that takes into account student test scores;
- end-of-course exams in English, Algebra, Biology, and U.S. History which students must pass in order to graduate from high school;
- a third-grade literacy exam required for grade promotion;
- a fund for school districts that try innovative approaches; and
- a requirement that all eleventh-graders take a college entrance exam.

Kansas Update

October 2011

The Topeka Capital-Journal reports that Kansas Governor Sam Brownback has proposed the first major change to the State's school funding formula in 20 years. The Governor's proposal includes a new State aid baseline, district block grants, and allowing counties to vote on a special sales tax for education. The block grants could incorporate cost variations among districts, money for students in poverty, and rewards for teachers who improve student achievement. The plan is expected to be presented to the legislature in January. Kansas school districts are facing a funding reduction of \$100 million for the current school year because of expiring Federal stimulus funding and lower State revenues. Moreover, the State is facing a lawsuit from a coalition of districts over recent cuts in State education funding. The case stems from a 2005 ruling by the Kansas Supreme Court that the State's school funding formula was unconstitutional.

Kentucky Update

October 2011

According to State data, only 38 percent of Kentucky's 2011 high school graduates are prepared for college or careers; the percentage was up from 34 percent in 2010. Student readiness is determined by certain benchmarks on the ACT college-entrance exam as well as career certificates. The numbers are discouraging in light of the State's goal of having 67 percent of its graduates college-ready by 2015. In addition, only ten percent of the State's GED graduates were ready for college credit courses. Currently, high school students are required to take end-of-course exams, the PLAN test in tenth grade, and the ACT in 11th grade.

Louisiana Update

October 2011

Unlike in past years, elections to the Louisiana State Board of Elementary and Secondary Education have become quite heated. Eight BESE seats are up for votes; another three seats are filled by Governor's appointment. According to Education Week, candidates backed by Governor Bobby Jindal are receiving the largest share of campaign contributions. The Governor and business interests in Louisiana favor school reforms along the lines of the charter school expansion in New Orleans and the State's new letter grading system for schools. The reformers are opposed by candidates supported by teachers unions and other education groups who say the changes thus far have been unfair.

Massachusetts Update

September 2011

As reported in Education Week, Massachusetts will be seeking a U.S. Department of Education waiver from requirements of the Federal No Child Left Behind Act. Under current NCLB standards, more than 90 percent of Massachusetts school districts failed to make adequate yearly progress. State education officials have said that NCLB includes unreasonable and unattainable standards.

This summer, the U.S. Justice Department found that more than 45,000 Massachusetts teachers did not have adequate training to teach academic content to English language learners. Currently, certification is required for teachers of ELL classes, but special training is not required for content-area teachers of ELLs. According to Education Week, the State will develop a new set of regulations for presentation to the State Board by February 2012; the new regulations will define an improved program (including content, delivery methods, and training) for all teachers of ELLs.

Michigan Update

October 2011

Part of a major education reform package being considered by the Michigan legislature is a proposal to lift the State cap on charter schools. According to the [Detroit Free Press](#), the bill, known as the Parent Empowerment Education Reform, would allow:

- universities to exceed the current limit of 150 charter schools they can authorize Statewide;
- community colleges to authorize charters outside their geographic boundaries; and
- charter schools to open in districts that have high school graduation rates of 75 percent or higher.

Michigan currently has about 250 charter schools serving more than 100,000 students. It has the nation's highest proportion of charter schools operated by for-profit companies. Opponents of the measure say lifting the cap would allow more "profit-driven" operators without adding enough quality controls. Charter school advocates hail the bill as providing greater competitive forces by which all schools would improve.

Also as reported in the [Detroit Free Press](#), Michigan's new Statewide school district for the State's lowest-performing schools -- known as the Education Achievement Authority (EAA) -- is being funded primarily by \$2 million in private donations. Much of the support has come from the Broad Foundation which contributed \$400,000 this year and expects to give \$500,000 more by next year. The EAA's new chancellor will be former Kansas City (Missouri) superintendent, John Covington, who has a \$225,000 salary as well as a \$125,000 signing bonus.

Mississippi Update

September 2011

The Clarion-Ledger (Jackson) reports that the Mississippi Department of Education has requested a 13 percent (\$289 million) increase in K-12 education funding for FY 2013. Most of the request would go to the basic State formula -- called the Mississippi Adequate Education Program. However, because the FY 2012 funding level for K-12 education was \$237 million below the requested amount, it is unlikely the request will be met. The State's revenues are not expected to increase significantly. When anticipated revenues are estimated in November, the legislature will begin preparing the FY 2013 budget for approval in the Spring.

Mississippi's new Pathways to Success program will encourage all eighth-graders in the State to select one of three pathways and 16 career clusters to guide their academic futures in high school. As noted in the NEMS Daily Journal, all eighth-graders and most ninth-graders will take a career interest survey, the results of which will be used to develop an individual Career and Academic Plan (iCAP) for each student. The students' chosen career clusters may influence the electives and career/technical courses students choose to take in high school. The traditional pathway requires 24 credits for graduation; the other two mandate only 21 credits. State officials hope the plan will minimize the amount of remediation needed by students entering college.

Montana Update

September 2011

The Montana Quality Education Coalition plans to file suit to reinstate \$8 million in State funds intended for public schools that was cut from the State's FY 2013 budget because of a provision in the budget and a veto of a budget-balancing bill by Governor Brian Schweitzer. The vetoed measure -- House Bill 316 -- would have transferred \$9 million from a number of earmarked revenue sources to the State Treasury to balance the FY 2013 budget. As a result, many Montana school districts are increasing class sizes and laying off teachers.

Nevada Update

October 2011

Nevada Governor Brian Sandoval has declared his intention to continue the State's reform plan - modeled after the Florida program promoted by Florida's ex-Governor Jeb Bush -- that includes school choice and the end of social promotions. The Nevada legislature has passed a number of new education measures, similar to the Florida reforms, such as:

- de-emphasizing seniority in teacher evaluations and layoffs;
- providing alternative routes for teacher certification; and
- establishing a State charter school authority.

The Governor also intends to pursue a voucher program to offer parents a wider range of school options.

New Jersey Update

October 2011

As reported by Education Week, New Jersey's precarious budget situation has led to the closing of NJ After 3, a New Brunswick-based organization that had, since 2004, been providing grants to local nonprofits to fund afterschool programs. State funding for the program, as high as \$15 million in 2007, was only \$3 million last year. Governor Chris Christie eliminated the program's funding for the new fiscal year and, after Democrats in the legislature tried to restore the money, the Governor vetoed the budget.

New York Update

October 2011

According to Education Week, New York State has approved a plan by which New York City will, over the next three years, provide more support and services for English language learners and their families. As many as 125 new bilingual programs could be established. There will also be an effort to resolve the shortage of bilingual teachers using alternative certification routes and incentives for recruitment. During the 2010-11 school year, of 165,000 ELLs in the City, 650 received no services, 2,400 were taught by a teacher who was not appropriately licensed, and 5,200 students were not getting legally required language lessons. This past summer, students whose primary language was not English had a graduation rate of less than 42 percent.

North Carolina Update

September 2011

The Raleigh News & Observer reports that North Carolina has allocated \$5.5 million for testing the readiness of high school students for post-secondary education. The funds will be used to offer the ACT to eleventh-graders, a “run-up” test to tenth-graders, and another standardized test for students who have taken a program of career and technical education courses. The State has also requested Federal permission not to give its sophomore writing exam for a savings of \$1.8 million. This year the North Carolina legislature eliminated four State end-of-course tests -- U.S. history, civics/economics, algebra II, and physical science -- on the grounds that the results provided no benefit and that teachers were teaching to the test.

Ohio Update

September 2011

According to an editorial in the Cleveland Plain Dealer, the Ohio Department of Education has begun posting on its website the ratings of more than 200 tutoring services operating in the State. State data indicate that 109 of the State's tutoring programs have been rated "ineffective" or "in need of improvement." All tutoring firms will be required to apply for State certification before the 2012-13 school year.

As noted in Education Week, nearly 40 percent of Ohio's college freshmen are not ready for college-level work and the State spends \$130 million a year on non-degree remedial courses. Under a new Statewide plan, these students will take most of their development (remedial) classes at community colleges. By the end of 2012, colleges are expected to have developed standards of what it means for students to be "remediation free." By 2017, the State will end its subsidies for developmental courses at most university main campuses. But branch campuses, as well as community colleges, will continue to get State funding for remedial education.

Oklahoma Update

September 2011

Oklahoma has set a goal of increasing the number of college degrees awarded to State residents by 67 percent over the next 12 years. Last year, 30,500 students earned degrees; the target for 2023 is 50,900 degrees. Currently, about 30 percent of students at Oklahoma's four-year colleges and 60 percent of those at two-year colleges require remediation. The State's plan for improvement includes: overhauling remedial education; strengthening the rigor of high school courses; providing more and better student support; and developing pilot programs in cooperation with local school districts. Oklahoma's effort in this area is part of the 29-state Complete College America, a national initiative supported by five national foundations. Oklahoma may serve as a model for other states.

Oregon Update

October 2011

According to The Oregonian, in late September, Oregon's charter schools found out that they would not be receiving up to \$225,000 each had expected from the State. A total of 27 charter schools had been counting on the money and are having to cut staff, technology, and books; some start-ups have had to postpone opening until next year. The State blames the U.S. Department of Education for cutting the final installment of a three-year charter school grant from \$7 million to \$600,000. The Feds say the grant was reduced because Oregon had used only \$900,000 of the first \$9.5 million it received in 2008 and opened only four new charter schools.

The Oregon City school district has rejected a \$2.54 million Federal grant focusing on performance-based teacher pay. As reported in The Oregonian, the district won the Teacher Incentive Fund money last Fall as part of a group application with six other school districts and the non-profit Chalkboard Project. But, having been unable to agree with the teachers union on a plan for individual bonuses, the district requested waivers from the U.S. Department of Education on the requirement to base bonuses on student test scores and on the requirement for individual (as opposed to pooled) bonuses; both waiver requests were denied. The district has already spent \$55,000 from the grant.

Pennsylvania Update

September 2011

In 2010, the Philadelphia school district began its Renaissance Schools initiative intended to turn around some of the district's lowest-performing elementary and secondary schools. Under the initiative, last year, seven schools were converted to charter schools and six others were reformed as district-operated Promise Academies. According to district data, all seven converted charters showed significant improvement in both reading and math scores. For the current school year, six more schools, including three high schools, have become Renaissance charters and three others have been designated as Promise Academies.

Pennsylvania Governor Tom Corbett has proposed an education reform agenda that includes a voucher program for low-income students, expanded tax credits for businesses that contribute to scholarships, a State-wide board to approve charter schools, and a new teacher evaluation system. The voucher program -- known as "opportunity scholarships" -- would be available to families making up to 130 percent of the Federal poverty level (about \$29,000 for a family of four). The vouchers could be used at private/parochial schools and at better-performing public schools.

South Carolina Update

October 2011

Education Week notes that South Carolina plans to request a waiver from some requirements of the Federal No Child Left Behind Act, but not until February. The State wants to use an alternative school evaluation system that incorporates progress toward meeting goals. State officials say the waiver request will take more time to prepare than originally anticipated. The time will be spent gathering data and looking at how other states file their waiver requests.

Tennessee Update

September 2011

In September, Tennessee published its strategic plan under the State's successful application for funding through the first round of the Federal Race to the Top competition. With an overall emphasis on rural district challenges, the plans' key elements include:

- increasing third-grade reading proficiency from its 2009-10 baseline of 42 percent to 60 percent by 2014-15;
- increasing seventh-grade math proficiency from 29 percent to 51 percent over the same time frame;
- creating supports for districts to hire effective principals and teachers;
- improving student options through inter- and intra-district choice, distance learning, and charter schools;
- turning around the lowest-performing schools through the Achievement School District;
- expanding availability of formative and summative assessments;
- using field service centers to provide educators with access to best practices and content expertise; and
- conduct internal research studies and construct open-source data capacity.

The Memphis Commercial Appeal reports that Tennessee does not plan to apply for up to \$60 million under the Federal Race to the Top Early Learning Challenge (RTT-ELC). State officials say that will not apply because RTT-ELC money cannot be used to expand existing prekindergarten services and that the State does not wish to begin activities it will not be able to sustain financially. Representatives from Memphis and other school districts are, however, urging the State to look for ways to invest in early childhood education.

Texas Update

October 2011

According to Education Week's *Digital Directions*, The McAllen school district expects to allocate \$20.5 million by next year to provide Apple iPads for its 25,300 students and 1,634 teachers. This is on top of the \$3.6 million the district approved earlier to purchase 5,175 iPad2 and 425 iPod Touch devices. Despite questions from education experts as to the effectiveness of the technologies, district officials are confident that the initiative -- known as "Teaching Learning in the Classroom, Campus and Community (TLC-3) -- will succeed in improving student performance.

Utah Update

October 2011

Utah State education officials have noted the steady decline in the amount of the State's tax revenue going toward public education. In 1992, Utah ranked eighth in the nation; by 2009, it had dropped to 26th. As noted in The Salt Lake Tribune, there has particularly been diminished State funding for teacher training. The same officials, however, praised schools' innovative classroom use of such technologies as iPads and iPod Touches and the growing partnerships between schools and businesses.

Wisconsin Update

October 2011

During the 2010-11 school year, Wisconsin spent \$130.7 million in vouchers funded by a combination of direct payments from State sources (60 percent) and reductions in State aid to schools (40 percent). According to the Chicago Tribune, the Wisconsin Senate has approved a measure that would freeze the expansion of school vouchers in the State and has given the legislature the authority to decide which districts and schools should qualify.