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## MEMORANDUM

**DATE:** December 5, 2013  
**TO:** TechMIS Subscribers  
**FROM:** Charles Blaschke, Blair Curry, and Suzanne Thouvenelle  
**SUBJ:** Common Core Career Readiness Findings; Common Core Assessment Cost; California and Florida CCSS Updates; State Categorical Programs; Waiver-on-Waiver Guidance on Teacher Evaluations; and Washington Updates on

On November 20<sup>th</sup>, we sent out a TechMIS waiver update which highlighted USED's loosened guidance on Title II funded professional development and equitable distribution of effective teachers for low-performing students requirements which states had to meet in order to receive two-year waiver renewals. The guidance letter will face major opposition from civil rights groups. The renewal of the requirement that Title II funds can be used only for professional development which is evidence-based could be welcomed by some TechMIS subscribers.

The enclosed Special Report addresses the so-called waiver-on-waiver guidance for two-year renewals of the one-year waiver extension of teacher evaluation requirements and "double testing." An update notes the 12 states requested teacher evaluation flexibility and the 15 states requested flexibilities on the CCSS field test. In these states, the demand for certain products and services could be reduced or postponed for an additional year.

This TechMIS issue includes a number of items of interest to TechMIS subscribers including:

- **Page 1**  
USED reports its findings on the impact of School Improvement Grant programs on Tier I and Tier II schools funded in 2010-11 and finds mixed results which could lead to greater flexibility beyond the four prescribed intervention models.
- **Page 2**  
New Center on Education Policy report describes how states are defining "career readiness" (the often neglected other half of "college-readiness"), current assessments states and districts use, and the impact the Common Core State Standards have had,

which could provide opportunities for some TechMIS subscribers in the immediate future.

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A new report finds the number of state categorical education programs have declined since 2008, but those providing funding for interventions for low-performing students have increased proportionately to those remaining.

- **Page 6**

New Brookings Institute report estimates the cost per-pupil will increase only a few dollars if a few states withdraw from the PARCC and Smarter Balanced assessment consortia.

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USED threatens California to withhold \$15 million in Title I administrative funds, along with other funds, if California implements the new state AB 484 law; California responded that more than 90 percent of its students Statewide will take the Smarter Balanced field test next year which should satisfy USED and preclude California from having to use field test results for accountability purposes.

- **Page 7**

A new Center on Education Policy report describes state activities and challenges to help districts prepare students with disabilities for transition to the CCSS-aligned curriculum and assessments; opportunities for TechMIS subscribers are more likely to be in the area of replacing the so-called 2% modified standards alternative test for approximately one million students.

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An updated AASA report identifies states in which districts will be impacted most by sequester cuts in 2014, should they happen once again.

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The White House announces the “Youth Career Connect Grants” initiative which would provide 25 to 40 grants to LEAs or other non-profits to build upon the President’s initial High School Redesign proposal in the State of the Union and reform career and technical education.

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The Administration continues to rely on Secretary Duncan’s waiver authority and other executive discretions to fund some of the administration priorities, bypassing Congress. “Misabeled” opportunities could exist in some current existing competitive grant programs.

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A number of miscellaneous items are also addressed including:

- a) USED has solicited comments on its proposal to place a priority on most USED competitive grant programs which target “promise zones.”
- b) USED has announced 31 finalists in the \$120 million Race to the Top-District competition of which, according to Education Week’s Politics K-12 blog, ten winners are to be selected each of which will receive between \$4 and \$30 million.
- c) A new report from the Center for Public Education (CPE), the research arm of the National School Boards Association (NSBA), finds that the ways states evaluate teachers vary significantly, as reported by Stateline, the daily news service of the Pew Charitable Trust (October 9<sup>th</sup>).
- d) As reported by Education Week (November 4<sup>th</sup>), Florida received approval to reallocate \$1 million of its \$700 million Race to the Top award.
- e) The new non-profit National Center for Special Education in Charter Schools -- funded independently by a number of charter school groups, the Walden Foundation, and other foundations -- has its mission to break down barriers which stand in the way of enrolling and educating students with disabilities in charter schools.
- f) USED has announced the 25 highest-rated applications (HRA) from districts and non-profits under the fourth round of the Investing in Innovation (i<sup>3</sup>) competition for more than \$135 million.
- g) A new federally-funded website offers Common Core lesson plans especially for special education teachers who are “looking for ways to weave technology into Common Core themed lesson plans.”
- h) A summary of MDR’s new survey in Education Week’s Marketplace K-12 blog (November 27<sup>th</sup>) reports that replacing textbooks with online resources was reported as a high to medium priority initiative by 78 percent of responding curriculum directors, while procuring apps was a high to medium priority for 77 percent.
- i) A new Washington Insider survey finds that most influential policy “insiders” believe most USED policies are meant for urban and suburban districts, not rural ones.

The state profile updates address a wide range of issues, including the Common Core State Standards and assessments, teacher evaluations, school accountability, and prekindergarten programs.

Following our holiday tradition, the next full TechMIS reports will be in late January 2014. Special Reports (e.g., on Head Start) and “Alerts” will be sent as developments occur before then (e.g., FY 2014 Budget/Sequester).

And “Happy Holidays” from our team to yours.

Charles, Blair, Suzanne, Cyndi

# **Special Report: Waiver Renewal Update on Guidance on Teacher Evaluation Extension and Double Testing**

*A Technology Monitoring and Information Service (TechMIS)  
Special Report*

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*December 5, 2013*

The newest state waiver renewal guidance (clarifying the Secretary's June 18, 2013 letter) on extending teacher/principal evaluation requirements for using student data for personnel decisions was published in November as Frequently Asked Questions (FAQ). Perhaps the lack of clarity in the initial June 18<sup>th</sup> letter and subsequent guidance, as noted in our October TechMIS Washington Update, explains why only a limited number of states requested the "waiver-on-waiver" teacher requirement extension by the original deadline September 30<sup>th</sup>. The final deadline for making such requests was moved for the second time, now to November 22<sup>nd</sup> (see update below) The lack of interest by states may also be explained by a new report from the Center for Public Education of NSBA which found that 38 states now require evaluations based on teachers' impact on student achievement and eight more states recommend this practice. Perhaps these states feel they are already meeting the requirement.

The bottom line is that the "waiver-on-waiver" flexibility, to extend the teacher/principal evaluation requirement to 2016-17, can be requested only by the 35 states whose initial waiver was approved before August 2012. In states receiving approval of this specific waiver-on-waiver flexibility, pressure on states/districts to provide interventions for low-achieving students will be lessened, thus delaying possible purchases of interventions and supports for at least one year.

The FAQ does, however, specify specific areas where student performance data in teacher evaluations can be used for non-personnel (not hiring and firing) decisions including:

- continually improve instruction;
- determine performance levels using multiple valid measures, including as a significant factor, data on student growth for all students;
- evaluating teachers and principals on a regular basis;
- provide clear, timely, and useful feedback that identifies needs and guides professional development; and

- calculate performance ratings for teachers and teachers and principals in 2014-15.

The Center on Public Education report noted earlier found that states use information collected about teachers in a variety of ways including:

- 31 states use teacher evaluations to improve professional development;
- 27 states are allowed to dismiss teachers who score low on evaluations for multiple years, and 5 states -- Delaware, Hawaii, Louisiana, North Carolina, and Rhode Island -- require low-performing teachers to be dismissed if they continue to fail after years of remediation; and
- 14 states require aggregate data on teacher evaluations to be made public, while in other states such data are exempt and can be released only with teacher consent or approval by school officials.

The CPE report is based on the AIR Database on Teacher Evaluation Policies as reported in Stateline (October 9<sup>th</sup>).

The FAQ states that the one-year flexibility extension does not dictate how LEAs should make personnel decisions and that SEAs will vary in terms of expectations placed on LEAs for using student performance data for non-personnel decisions.

The most recent guidance attempts to clarify/reiterate other points including:

- If a state does not request the waiver-on-waiver flexibility, then an LEA in the state cannot request flexibility for this requirement.
- If state or local laws require use of evaluation systems to inform personnel decisions, this flexibility affects only waiver renewals and does not affect state or local laws. The Stateline article (October 9<sup>th</sup>) reports that 23 states require or recommend that student achievement indicators, such as standardized test scores, student portfolios, or learning goals for students, make up at least half of a teacher's evaluation; and 28 states require districts to use teacher evaluations in making personnel decisions, such as tenure promotion, license renewal, subject assignments, or dismissal.
- If an LEA has received SIG funding and is implementing the transformation model, the teacher evaluation requirement under SIG guidance prevails and is not affected by this flexibility.
- If an LEA participates in a 2012 Teacher Incentive Fund (TIF) grant, it would still meet the teacher evaluation requirements and timelines established for the 2012 (TIF) competition and cannot be affected by this waiver-on-waiver flexibility.

However, with respect to Race to the Top grantees, the guidance leaves room for USED discretion. For example, it states that, while a Race to the Top grantee which has received state waiver flexibility can request this additional flexibility, it must amend its Race to the Top plan. However, the guidance notes, "Changes or revisions to a State's plan that would significantly decrease or eliminate reform in any of the four reform areas, including great teachers and leaders, would constitute a significant change to the State's scope of work and ED will not

approve such changes or revisions. Further, a significant change that may significantly decrease or eliminate reform in any of the four reform areas of Race to the Top may jeopardize the State's grant." As reported in a related Washington Update item, three states have already requested and received no-cost extensions for an additional year, which *Politics K-12* noted are related directly or indirectly to meeting the teacher/principal evaluation system requirements.

Previous surveys of SEA officials conducted by the Center on Education Policy and the recent NSBA/Center on Education, among others, have indicated/suggested that some states will not have to or will probably not request such waiver-on-waiver flexibility. Given funding and other uncertainties, product purchasing cycles will likely be extended or delayed in more states as they make such "waiver-on-waiver" requests. Existing waiver states must submit letters of intent to submit waiver-on-waiver requests by mid-December (see November 20<sup>th</sup> Waiver Update Alert).

### **Update:**

*As of the November 22<sup>nd</sup> deadline, 12 states have requested waiver flexibility to extend by one year, to 2016-17, the requirement to use student performance data for teacher evaluation purposes in order for districts to make personnel decisions.* The states include Maryland, Kentucky, North Carolina, Arkansas, Kansas, Mississippi, Missouri, Nevada, South Carolina, South Dakota, Utah, and Washington. As *Politics K-12* notes, two states -- Maryland and North Carolina -- are Race to the Top states which, as USED has stated, would have to go through an amendment process rather than mere waiver approval

In addition, 15 states have requested approval under the so-called double-testing waiver which allows states to use current tests with some students and, for other students, conduct field tests with either of the CCSS assessment consortia test components or to use the field tests with all its students beginning this Spring. This would preclude the state from using the test scores from the field tests for accountability purposes. Both waiver and non-waiver states could apply for this double testing waiver. Those that have done so thus far include California (see related item), Connecticut, Idaho, Illinois, Iowa, Kansas, Maryland, Massachusetts, Mississippi, Montana, Nevada, Oklahoma, South Dakota, Vermont, and Washington.

In states in which the teacher evaluation waiver is approved and in which one of the consortia's field tests is being used, the accountability pressures on districts in these states will be reduced. Hence, as we have noted in prior reports, the probability of many districts purchasing services such as professional development and interventions to improve student and school performance is reduced, postponing purchases by one year.

# Washington Update

Vol. 18, No. 11, December 5, 2013

## USED Reports the Impact of School Improvement Grant Program Is Mixed, But Critics Say Findings Are Inconclusive or a “Total Disaster”

For Cohort 1 schools in the School Improvement Grant program, funded in 2010-11, about two-thirds reported math and reading gains on the average, while the remainder of schools’ student achievement stayed the same or declined. Cohort 2 schools, funded in 2011-12, reported less impressive math and reading scores. According to USED, on the average, schools across all SIG models demonstrated increased proficiency rates. All Cohort 1 schools receiving SIG funding on average increased proficiency rates with some differences, depending on which model was used, including:

- schools using the “transformation” model had an average proficiency rate increase of roughly six percentage points in math and three percentage points in reading;
- schools using the “turnaround” model demonstrated average proficiency rate increases of 11 percentage points in math and six percentage points in reading;
- schools using “restart” model showed average proficiency rate increases of nine percentage points in math and seven percentage points in reading.

On the average, Cohort 1 schools at all three levels (e.g., elementary, middle, and high schools) demonstrated similar increases, and

on the average Cohort 1 schools in small towns or rural areas demonstrated slightly higher percentage increases in math and in reading than did city and suburban districts.

However, several veteran observers who have covered the School Improvement Grant program, including *Politics K-12*, have raised unanswered questions:

- The way the data were presented, using averages, made it difficult to determine whether high-performing schools pulled up averages for schools that did not do well;
- Because “proficiency” levels (i.e., cut scores) vary across states, it is “impossible to draw more sophisticated conclusions about where these test score gains are coming from”;
- The analysis did not contain many schools in the first Cohort analysis, because changes in tests and other factors excluded them from the analysis (e.g., just 534 schools in the math analysis were covered out of 730 schools in Cohort 1);
- Without knowing the background of “gaining” Cohort 1 schools, it is unclear whether prior “homegrown” efforts or later SIG money was responsible for improvement;
- In “gaining” school did the SIG intervention and/or funding vs. “fidelity of implementation” make the difference?

Andy Smarick, in Fordham Institute’s *Flypaper* (November 22<sup>nd</sup>), argued that the

“incremental” gains reported by USED could not be justified by the \$5 billion which had been allocated to the SIG program. He noted, “Even worse, across all cohort-one schools, the average reading-proficiency increase was a mere five points -- *a cost of one billion dollars for each point of improvement in reading proficiency.*” Smarick added, “The Department tried its very best to frame this as a success by showing that this five-point gain was better than the two-point gain seen in all U.S. schools over the same period. But not only is it barely better, SIG schools got millions of dollars and are the lowest-performing schools in America. The most modest interventions should’ve helped, not to mention the statistical phenomena of regression to the mean. It is noticeable that the Department did *not* compare SIG results to other low-income schools or schools that applied for but didn’t receive SIG funding. Such comparisons almost certainly would’ve been even more unflattering.”

The bottom line question is what will be the implications of the Cohort 1 SIG school findings, even though the critics correctly identify limitations in the analyses? As *Politico Morning Education* (November 22<sup>nd</sup>) noted, while Secretary Duncan acknowledged that the progress was “incremental,” Chairman of the House Education and Workforce Committee John Kline said the results indicate time for change, arguing that the “tepid results” show the limits of top down mandates and “...the need for a new approach to education reform -- one that allows state and local leaders to determine the best way to raise the bar in our schools.” Indeed, the House version of the ESEA reauthorization would defund School Improvement Grants. And, under the State waiver renewal guidance, existing

School Improvement Grant Tier I and Tier II schools would likely transition to Priority and Focus Schools and existing funds under the SEA 4% set-aside for school improvement and freed-up waiver funds for Priority and Focus schools would continue to require the use of one of the four USED-prescribed SIG school intervention models. However, the most recent Senate draft of ESEA renewal would allow the use of Whole School Demonstration Models that have been successful.

One positive result could be that the findings would provide more ammunition for states that have been requesting the use of “homegrown,” state-developed intervention models, either in School Improvement Grant schools or under State waiver renewals for Priority schools, instead of the four prescribed SIG intervention models.

We will continue to follow developments in this area.

### **New Center on Education Policy Report Describes How States are Defining Career-Readiness (the Often Neglected Other Half With College-Readiness), Current Assessments States and Districts Use, and the Impact the Common Core State Standards (CCSS) Have Had Thus Far on the Way Career Skills Are Assessed, Providing Opportunities for Some TechMIS Subscribers**

Based on a new survey by the Center on Education Policy (CEP), conducted in the Summer of 2013, which was completed by 46 State Directors of Career and Technical Education (CTE), only 13 of the 46 states had a statewide definition of what it means



for high school students to be career- or work-ready. The states that CEP reports having such a definition were Colorado, Delaware, Georgia, Kansas, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Jersey, North Dakota, and Virginia. Twenty other states reported “working on developing such a definition.”

CEP identified three types of skills as constituting career-readiness:

- applied academic skills in content areas such as English/language arts, math, science, and social studies;
- employability skills which are necessary to succeed in entry-level employment, including problem-solving, self-discipline, and other “soft skills”; and
- technical skills which are those needed to pursue a specific career.

Thirty-six states reported students are assessed on academic skills, and 33 states on employability skills; 39 states indicated assessments were occurring in one of these types of skills, while 22 reported assessing all three types of skills. The most commonly reported nationally available testing systems to assess applied academics or employability skills are the Defense Department’s ASVAB (32 states), Work Keys developed by ACT (32 states), and the National Occupational Competency Testing Institute (NOCTI) (22 states). Other types of assessments for employability or applied academics assessments include Skills USA Workplace Readiness Assessment (16 states), Comprehensive Adult Student Assessment System (CASAS) (12 states), and other national assessments (e.g., ACT Explore and ACT Plan) in 15 states. For assessing technical skills, industry-based

certification and/or licensing exams are used in 38 states, followed by NOCTI and Skills USA assessments in 27 and 23 states, respectively.

CEP reports that districts paid for employability and academic skills assessments, unless state-developed tests are used, in which case the state pays for them. Costs associated with technical assessments are most often shared by districts and students. Differing from the use of state assessments in general education, CEP found that the majority (38) of reporting states said that student results on career-readiness assessments are used to meet Federal reporting requirements more so than they are used to make school accountability decisions; only 21 states reported their use for their school accountability purposes.

Perhaps the most surprising finding from the CEP survey was that the Common Core State Standards (CCSS) have had little impact thus far on the way that career and technical education skills are assessed. Only two states reported that career-readiness assessments used in their states have been aligned to CCSS, with six more saying the alignment initiative is underway. Eight states reported that CCSS has not impacted their career-readiness assessment, and 20 said it is too early to know. The states which reported that career-readiness assessments are available or in the process of being aligned are Connecticut, North Carolina, California, Hawaii, Kansas, Kentucky, Minnesota, and Utah. The CEP report emphasizes that, by design, Common Core State Assessments are intended to ensure students master English/language arts and math for both college and careers.

A new survey conducted by the National

Association of State Directors of Career Technical Education consortia also found that there is a “significant” mismatch between state current career education standards and the new Common Career Technical Core which is a set of voluntary standards for 16 career cluster areas. Only Iowa, Oregon, and Guam have fully aligned career and technical education secondary and post-secondary standards. It also notes that one of the two CCSS assessment consortia, PARCC, adopted a College- and Career-ready Determination (CCRD) policy in 2012 which “does not make claims about academic preparedness for any specific career.” However, the CCRD policy does clarify what PARCC assessments will and will not measure. As the CEP report concludes, “...the ability of states to align career readiness assessments with the CCSS is still in its nascent stage.”

Perhaps some of the opportunities for TechMIS subscribers lie in the area of using career assessment data for student accountability purposes, and possibility school accountability purposes which is currently the case in about 20 states. Aside from having necessary funds for conducting assessments, which is the greatest challenge reported in 38 states, other challenges reported by the states were: getting data from third-party assessment providers (32 states); identifying and/or implementing quality assessments (28 states); professional development for teachers (25 states); aligning resources and systems of support with other programs (22 states); and ensuring alignment between these assessments and the curriculum (22 states). These challenges relating to career-readiness assessments appear to be similar to counterpart challenges which have occurred in preparing “general education” for

implementation of the Common Core Standards. Perhaps some of the products and services provided by TechMIS subscribers in this arena would also be applicable since the impact of Common Core Standards on assessing career-readiness, as in the word of CEP, has been “nascent.”

### **New Report Finds the Number of State Categorical Education Programs Have Declined Since 2008, But Those Providing Funding for Interventions for Low-Performing Students Have Increased Proportionately to Those Remaining**

The new Center on American Progress report, entitled *Categorical Funds: The Intersection of School Finance and Governance*, “provides a national landscape on the use of categorical funds by states, the number of categorical programs in each state, how the use of categorical funding has changed since 2008 when states were last surveyed on their use, and views on their effectiveness from state finance personnel.” The “Issue Brief” collected new primary data through a state-level survey and district-level interviews and also relied on prior research and existing data from state and national organizations.

CAP finds that there currently is a wide range in the use of categorical funding across states, with an average of 16 categorical programs per state last year, down from 25 in FY 2008. The average dollar amount allocated per state through categorical (versus formula state aid funding) was nearly \$1 billion. However, as demonstrated in Table 1 (see pages 4-5 on <http://www.americanprogress.org/wp->

[content/uploads/2013/11/CategoricalSpendi ng1-brief-4.pdf](http://www.americanprogress.org/wp-content/uploads/2013/11/CategoricalSpendi ng1-brief-4.pdf)), the largest amounts were \$9.7 billion for 60 programs in California last year, which it notes is changing in 2013, and \$4.1 billion in Tennessee for ten programs which has increased from zero in 2008. On the average, categorical programs make up 13.6% of states' K-12 budgets, ranging from about two percent of the state's education budgets in Arizona, Georgia and Iowa to more than 40 percent in Pennsylvania and South Carolina.

CAP asked state-level finance officials to categorize categorical funding programs into five groups. Across all groups in 2008, the most common categorical operating programs were special education, transportation, and technology. In the 2012-13 school year, the most common areas for categorical funding were once again special education and student transportation, followed this time by "interventions for low-performing students." In addition, as displayed in Figure 3 (see page 9 on <http://www.americanprogress.org/wp-content/uploads/2013/11/CategoricalSpendi ng1-brief-4.pdf>), survey respondents also included several important intervention programs in the category of "Other" -- high-needs special education, education excellence, early interventions, ACE remediation designed to raise expectations for student achievement, reading sufficiency, instruction for expelled and at-risk students, math and reading interventions, and directly-related programs.

In a discussion with CAP staff involved in preparing the report, we learned that the specific dollar amounts for specific types of categorical programs were not compiled. In 2002, Kevin Carey conducted a survey of categorical programs targeting low-income

disadvantaged students and found that the amount of funding for state comp ed categorical programs in states such as Massachusetts, Michigan, New York, and Texas was significant. For example, in Massachusetts, the amount of state funds per poor, at-risk disadvantaged students in 2000-01 approximately \$5,100 per pupil, compared to Title I allocations in that state of about \$500 per student. In Michigan, the chapter 39A state comp ed program was larger than the \$250 million Title I allocation to districts during the same timeframe.

The report also identified categorical funding trends impacted by the last recession. Since 2008, 29 states have reduced the number of categorical funding programs in use, while 14 increased the number, and only six retained the same number. While the five states that had the highest number of categorical programs in 2008 -- Ohio, Arkansas, California, South Carolina, and Hawaii -- reduced their numbers, all five states with the fewest categorical programs in 2008 increased their numbers by 2012-13. The CAP report also found that, according to respondents, 14 states said the recession had decreased the use of categorical funding programs while 13 states felt it had no impact. Only four reported increasing the use of categorical funding as a result of the economic downturn.

One takeaway from the Issue Briefs findings is that, while the number of state categorical funding programs has declined, the relative use of categorical funding to support interventions for low-achieving students or low-achieving schools, as well as supporting the use of very specific interventions for instruction or professional development,

appears to have increased compared to 2008. And more Federal Title I and IDEA (e.g., the 15 percent set-aside for Coordinated Early-Intervening Services) funds have been targeted on lowest-performing Priority and Focus Schools under the waiver process and the use of the SEA 4% set-aside, as well as SIG grants for school improvement. These Federal funds, combined with state categorical funds clearly point to the increased opportunities that exist in a limited number of low-performing schools and districts and suggest the need for “consultative selling” which can help districts decide how Federal and state funds can be combined for purchases of products/solutions without violating Federal and categorical funding requirements on allowable uses of funds.

### **New Brookings Institution Report Estimates that If a “Few States” Withdraw from the PARCC and Smarter Balanced Assessment Consortia, the Cost Per-Student Will Increase Only a Few Dollars for Remaining States**

A new Brookings report, by Matthew Chingos, estimates only “minimal impact” on the cost per-pupil for remaining states if a few states drop out of either of the consortia. As reported in the *Curriculum Matters* blog on Education Week (October 30<sup>th</sup>), the report states, “For either PARCC or SBAC to face any real cost-based threat from states dropping out, the political opponents of the Common Core would have to be successful in all of the states where they have been most active and in several additional states.” Thus far, Alabama, Georgia, Utah, and Oklahoma announced that they are not using either of the consortia’s CCSS tests.

According to Chingo’s calculation, the possible states dropping out from the 25-state Smarter Balanced group are those where “particularly heated debates” are occurring about Common Core -- Kansas, Missouri, Michigan, Pennsylvania, South Carolina, Wisconsin;” it’s projected cost of \$22.50 for summative tests would rise by about \$2.50 per student.”. The study finds that SBAC could lose half of all of its states and still keep its test costs under \$30 per student. If the 19-member PARCC loses Florida, which is possible, the projected cost would increase from \$29.50 to slightly more than \$30 per student, and if it drops to 15 members, the cost would rise only to \$32.08.

The Brookings report also estimates the per-pupil cost to states using alternatives to PARCC and Smarter Balanced. For example, Kentucky and New York are estimated to be paying \$34-\$37 per student, while Alabama, which will be using the new ACT “Aspire,” has been quoted an introductory rate of \$11.70, which will increase to \$20 when it comes online.

### **USED Assistant Secretary Deb Delisle Has Sent a Letter to California State Board President Michael Kirst and State Superintendent Tom Torlakson Stating that About \$15 Million in Title I Administrative Funds and Additional Title I Funds Spent on State Assessments Last Year, Along with Additional Federal Funds for At-Risk Students, Could Be Lost if California Implements AB 484 and its State Plan Not to Give the Required NCLB State Assessments**

Under the recently passed AB 484, the State would also field test only portions of the

Smarter Balanced assessment field tests. California is also not eligible for waiver renewals to get out from using student performance data for accountability purposes next year. In addition to the potential loss of the \$15 million in Title I administrative funds and potentially \$30 million in funds the State received to administer Title I administrative standardized tests last year, California could also become a “high-risk grantee” which would put it in jeopardy of losing funds from other competitive grant programs such as School Improvement.

As [Education Week's Politics K-12](#) blog quotes the joint statement from Board President Kirst and State Superintendent Torlakson, “California is moving forward now with modern standards and assessments because we want all children -- no matter where they come from or where they live -- to graduate ready for college and careers. To the extent there is disagreement with the federal government, there is a process for addressing it, and we’ll continue to work with officials in Washington. Federal officials have never before taken money out of the classrooms, and we would hope and expect that they would not start now.” As we reported in our last California State Profile Update, several Board members responded to Secretary Duncan’s threats, saying that they might be willing to suffer the cuts in the SEA Title I administrative set-aside of approximately \$15 million in order to implement the new State Law AB 484 as passed. It is not clear what such a reduction would impact most. Some observers feel the impact could bring pressures to reduce other Title I funds such as the SEA 4% set-aside for school improvement allocated to schools in corrective action under NCLB, or possibly

newly-started or substantially-expanded charter schools based on the new Title I charter school guidance (see [October Washington Update](#)).

### **Update November 29:**

California will involve more than 90 percent of its students in the field test of the Smarter Balanced consortium’s Common Core assessments in both math and language arts next Spring. This is a change from the initial plan that called for the State to reduce the number of current State assessments for some students by using the Smarter Balanced assessments in either math or literacy, but not both. As we and the *Curriculum Matters* blog have reported, during the field test students’ test scores will not be used for accountability purposes because the tests have not been proven to be valid and reliable; they will also not be used in teacher evaluation purposes for making personnel decisions. One other state, Montana, has also received permission to use field test assessments for all of its students next Spring. And, as was reported elsewhere, Massachusetts is also planning to implement field testing over a two-year period before it makes a final decision on the use of specific tests for assessing progress under the Common Core standards.

### **New CEP Report Describes State Activities and Challenges to Help Districts Prepare Students With Disabilities for the Transition to CCSS-Aligned Curriculum and Assessments**

In a Center on Education Policy (CEP) survey conducted earlier this Spring, 37 SEA officials reported “facing challenges with providing professional development to

help teachers align instruction for students with disabilities to the Common Core. No state official said providing this type of professional development was not a challenge.” Twenty-two states said the challenges would be major, while 15 states felt only minor challenges would confront them. Two states reported it is too soon to tell and one reported “not knowing.”

CEP reported that 24 states said they provided training and materials to help districts, schools, and teachers align instruction for students with disabilities to CCSS in 2012-13 or earlier. Nine states were planning to do so in the 2013-14 school year. CEP also reported that nine of the 11 surveyed states that used the so-called 2% alternative modified assessments were taking one or more actions to facilitate the transition:

- revising or creating guidelines to help IEP teams determine assessment options and accommodations for students; and
- revising or creating professional development and other supports for teachers.

CEP notes that most of the surveyed states will participate in assessments being developed by the PARCC or Smarter Balanced consortia, as well as those developed for severely cognitively impaired students (e.g., “the 1% group”) by the Dynamic Learning Maps (DLM) and the National Center and State Collaborative (NCSC) consortia. As of July 2013, DLM had 16 state members while the NCSC had 26. While one might logically assume that the intent is to have the DLM and NCSC consortia provide assistance, professional development, and support for member state districts in determining and implementing

their respective alternative assessments for severely cognitively impaired students, it appears that the demand for professional development and support for districts who are transitioning from the 2% modified standards assessment to ensure curriculum and assessment alignment would provide greater opportunities for some TechMIS subscribers.

As a side note, a new IES report entitled “The Inclusion of Students With Disabilities in School Accountability Systems: An Update” looks at how/why schools failed under the NCLB accountability system between 2006 and 2009. IES reports that, in 40 states with comparable data, only six percent of schools in those states that did not make AYP did so solely because of the students with disabilities subgroup. Twenty-eight percent missed the mark because of the disability subgroup and some other factor as reported by the *On Special Education* blog on Education Week (October 29<sup>th</sup>). About half of the public schools in 31 states were not accountable for the students with disabilities subgroup in any of the four years examined. In contrast, 23 percent of schools were consistently accountable in each of those years. The report also found that once a school was identified for improvement because of the performance of students with disabilities, it remains identified and in those which did not face any AIP sanctions because of the subgroup also remained as such.

The findings from the IES study certainly provide evidence which justifies some of the possible remedies that are reflected in the state waiver renewal guidance (see our TechMIS Special Report, September 26<sup>th</sup>) and concerns expressed by civil rights and education reform advocacy groups in our

last TechMIS Washington Update. One is the obvious requirement is that states reduce the N size for subgroup accountability determination purpose to about 25 students; another is to do away with super subgroups which could mask the lack of performance of small numbers of students with disabilities in individual schools; and the guidance requirement to do away with the 2% modified standard of alternative assessments. As we noted last month, herein lie opportunities for some TechMIS subscribers who provide interventions and directly-related services for students with disabilities when districts are held more accountable.

### **Updated AASA Report Identifies States in Which Districts Will Be Impacted Most By Sequester Cuts in 2014, Should They Happen Once Again**

As an update to last year's report, the American Association of School Administrators has identified the states with the largest numbers of districts that will be impacted most by continued sequestration cuts if they happen in 2014 in a manner similar to the across-the-board five percent cut which occurred last March and had an impact in most districts last July. Using the FY 2012 Federal funding data set, the AASA report identified 14 states in which more than half the districts relied on Federal spending for 15 percent or more of their revenue/operating budgets. These states are Arkansas, Alabama, Arizona, Florida, Georgia, Kentucky, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, Tennessee, and West Virginia. More than half of the districts in 21 states had operating budgets in which the Feds

contributed 11.8% (the national average) or more. As *Politics K-12* noted, this does not mean that these schools suffer most under sequestration because "...many states used their own money to fill in the federal holes. But these states presumably would have had some of the biggest holes to fill." As we have stated in previous TechMIS reports over the last two years, most districts took advantage of the ability to carryover more than the 15% statutory limitation of unspent Title I funds to the next year on carryover as a result of USED waivers. Such carryover Title I funds were also used to "soften the blow" of sequestration and reduce Title I purchases over the last two years.

The AASA report also stated that "more than six percent (6.27 percent) of schools had operating budgets in which federal funds represented one quarter (25 percent) or more of total budget revenues." Most of these districts received some portion of the \$1 billion Impact Aid allocation and were impacted the earliest -- last March -- because they were not "forward funded." As we noted in our October TechMIS report, most of these 1,200 districts receiving Impact Aid at the very last moment (on October 30<sup>th</sup>) received a relatively large portion of their FY 2014 budget under the Continuing Resolution (CR), thus reducing the immediate impact in November. However, many of these districts will have to suffer another significant mid-year cut, most likely in January, if the sequester cuts are not reduced or ended when the CR runs out on January 15<sup>th</sup>.

While the AASA report uses the most recent data set and relies on averages, we emphasize that the five percent across-the-board cut had an uneven impact on major formula programs and that one cannot rely

on averages in programs such as Title I because of the unique nature of the Title I formula. In our May 22<sup>nd</sup> TechMIS Special Report, we identified more than 600 districts that received large increases of at least \$100,000 or increases of 20 percent or more beginning in July 2013, even after sequestration. Given the large amounts of funds these districts carried over previously by obtaining waivers under the 15 percent Title I carryover limitation (between \$4 to \$5 billion), if the sequester gets eliminated as a result of ongoing FY 2014 budget negotiations, or the Secretary is provided flexibility to cut select programs other than Title I to achieve USED's total sequester amount (\$2 to \$2.5 billion). These districts represent potential targets for purchasing products between now and September 30, 2014.

### **White House Announces the “Youth Career Connect Grants” Initiative Which Would Provide 25 to 40 Grants to LEAs or Other Non-Profits to Build Upon the President’s Initial High School Redesign Proposal in the State of the Union and Reform Career and Technical Education**

The grantees, which would have to demonstrate a strong public/private partnership, must include, at a minimum, an LEA, a local workforce investment entity, an employer, and an institution of higher education to receive a portion of the \$100 million grant total. Applicants must provide a match of 25 percent of the grant awards which are anticipated to be made in 2014. Even though the original \$300 million High School Redesign initiative was rebuked by House Republicans in their ESEA reauthorization proposal and was cut further

in the Democratic Senate FY 2014 budget mark, the Administration will by-pass Congress by funding the effort through fees collected under the H.B.1 Visa program administered by the U.S. Department of Labor.

Designed to bolster the Administration's priority on STEM activities, the Youth Center Connect schools would strengthen “America's talent pipeline” through a number of activities including:

- integrating academic and career focused learning, particularly to increase student employability for in-demand industries;
- providing work-based learning and real-world work exposure through job shadowing and other opportunities exposing students to different career paths;
- providing individualized career and academic counseling; and
- integrating high schools with post-secondary education and training.

According to Education Week's Politics K-12 blog, the USDOL-administered program is modeled after Race to the Top and Investing in Innovation (i<sup>3</sup>) education programs administered by USED and, according to USED, builds on exemplary national partnerships such as Brooklyn's well-known P-TECH Early College High School.

Education Week has reported that some reform advocacy groups have questioned the design and potential impact of the project. For example, the competitive grants -- which will likely be between \$2 and \$7 million per year -- are much smaller than the \$3 to \$20 million scale-up grants awards



under the i<sup>3</sup> program. AASA, along with GOP Congressional leaders, has called for such funding to be funneled through the formula Perkins Career and Technical Education Program. The American Association of Career and Technical Education, along with key Democrat Career and Technical Education advocates such as Senator Patty Murray, have questioned whether rural and poor districts could have the capacity to compete effectively for grants. According to the White House press release, more information about the initiative and applications for funding are available at [www.doleta.gov/ycc/](http://www.doleta.gov/ycc/)

### **Administration Continues to Use Secretary Duncan's Waiver Authority and Other Executive "Discretions" to "Rob Peter to Pay Paul" to Fund Some of the Obama/Duncan Priorities Without Getting Funding or Any Authority from Congress**

As *Education Week's Politics K-12* blog (November 21<sup>st</sup>) notes, the latest example of efforts to get around Congress is the \$100 million new High School Program which USED recently announced again after being mentioned in the State of the Union speech (see related item). While Republicans in the House refuse to include the High School Redesign initiative in their ESEA reauthorization bill, even Senate Democrats in the FY 2014 budget refused to fund it. However, the Administration is proposing to take the \$100 million for the newly proposed High School Program out of funds gathered by the Department of Labor from firms that hire technical immigrants under the H.B.1 Visa program.

As we reported last April, during the SIIA

Government Forum former Chief of Staff of the House Education Committee under Republican Bill Gooding (R-PA), Victor Klatt, noted that, should the proposed Immigration Bill at that time be passed, approximately \$200 million would be earmarked under the H.B.1 Visa Program for STEM-related activities for K-12 and universities using the same "fee source" from employers hiring such foreign technicians.

As we have noted over the last several years, there have been other major instances where the Administration has used its discretionary authority, including:

- placing a high priority under the Teacher Incentive Fund competitive grant program for proposals which address STEM and directly-related activities, resulting in about half of the \$300 million FY 2012 funding going to such applicants;
- the recent Executive Order which would require all competitive grants (and even some formula programs such as Title I and IDEA) to use evidence-based practices and approaches modeled after the i<sup>3</sup> Competitive Grant program "definitions of levels of evidence," beginning in the near future, perhaps FY 2015 (see October TechMIS issue);
- policy guidance which allows districts to use 21<sup>st</sup> Century after-school program funds to initiate and/or expand Extended Learning Time (ELT) initiatives during the school day for all students in some schools;
- the Federal notice allowing the Secretary of Education more

discretion in determining competitive priorities and/or preferences, and other additional points in competitive grants which support the Administration's priorities, and even certain favorite external providers which assist applicants in preparing grants for which they are proposed to be evaluation or support contractors without having to go through competitive bidding;

- the enormous discretion in \$4 billion plus of funding included in the \$100 billion ARRA education stimulus program, allowing the Administration to create the Race to the Top and i<sup>3</sup> programs, and to restructure/expand the School Improvement Grant (SIG) program; and
- the use of the Secretary of Education's "waiver authority" much more extensively than past education secretaries since 1994 to implement the ongoing ESEA state flexibility waiver authority thus removing a number of NCLB provisions rather than relying on a reluctant Congress to reauthorize ESEA.

The bottom line is that firms seeking Federal funds in Federal competitive grant programs, or even large formula programs such as Title I, cannot rely on the law and provisions passed by Congress. Rather, the Administration's significantly-expanded waiver authority should be heeded and taken into account now to take advantage of opportunities during the remaining three years of this Administration.

## Miscellaneous (a)

USED has solicited comments on its proposal to place a priority on most USED competitive grant programs which target "promise zones." Apparently, the Administration wants to replicate many of the components and activities, such as wraparound services, social and emotional learning approaches, etc., associated with the flagship Promise Neighborhood program. As the *Politics K-12* blog on Education Week notes, USED is soliciting comments on the program requirements; however, "The Secretary recognizes that this priority will not be appropriate for all discretionary grant programs" which the notice states. The blog also notes that the general Promise Zone prioritization would likely have to get Congressional approval as it would offer communities tax incentives to spur academic development. Comments were due on November 25<sup>th</sup> to the notice posted October 25<sup>th</sup> in the Federal Register.

## Miscellaneous (b)

USED has announced 31 finalists in the \$120 million Race to the Top-District competition of which, according to Education Week's Politics K-12 blog, ten winners are to be selected each of which will receive between \$4 and \$30 million. Some of the large district contenders include the Houston Independent School District, Denver Public Schools, Baltimore City Public Schools, and Chicago Public Schools (#299). Consortia of districts making the final list are those headed by Clarendon County School District 2 (South Carolina), Kentucky Valley Educational Co-op, and Maysville Local School District (Ohio). The Mateo Shedy Elementary School will

head a Rocketship consortium including eight other Rocketship charter schools in California and Wisconsin.

Announcing the RTTT finalists on the USED [ed.gov](http://ed.gov) website on November 19<sup>th</sup>, Secretary Duncan stated, “This competition supports local efforts of diverse, trail-blazing districts across the country to implement models of personalized learning so that every child graduates college and career ready.” The press release also notes that the finalists represent a range of districts, both rural and non-rural, from both Race to the Top states and non-Race to the Top states. Competitive preferences were given to applicants that formed partnerships with public and private organizations to offer services to meet student academic, social, and emotional needs, outside the classroom. The winning applicants will be announced no later than December 31<sup>st</sup>.

### **Miscellaneous (c)**

A new report from the Center for Public Education (CPE), the research arm of the National School Boards Association (NSBA), finds that the ways states evaluate teachers vary significantly, as reported by [Stateline](#), the daily news service of the Pew Charitable Trust (October 9<sup>th</sup>). Relying on the database on State Teacher Evaluation Policies maintained by American Institutes of Research (AIR), CPE reports that states are continually “tweaking” how they implement and use teacher evaluations because they are so new and, we suspect, as a result of changing USED guidance on waiver state renewals under so-called “waiver-on-waiver” guidance which now provides states the option of extending by one year the effective date of

implementation of teacher and principal evaluation requirements (see related [Washington Update](#)). The CPE report found:

- 31 states use teacher evaluations to improve professional development;
- 28 states require school districts to use teacher evaluations in making personnel decisions, such as tenure, promotion, license renewal, subject assignment, or dismissal;
- 27 states allow teachers who score low on evaluations for multiple years to be dismissed if they fail to improve after multiple years of remediation;
- 38 states require evaluations based on teachers’ impact on student achievement, and eight more states recommend this practice (which is required under the state waiver renewal guidance);
- 23 states require or recommend that student achievement indicators such as standardized test scores, student portfolios, or learning goals for students make up at least half of a teacher’s evaluation.

Most states use student academic growth or progress compared to other students as a measure of teachers’ impact. Another study conducted by the National Council on Teacher Quality (NCTQ) also found that most states now demand student achievement data as a significant factor in teacher evaluations; only Alabama, California, Idaho, Iowa, Montana, Nebraska, New Hampshire, North Dakota, Texas, and Vermont have no formal policy.

It’s important to note that new so-called “waiver-on-waiver” option for states up for

waiver renewal extends the teacher requirement for making personnel decisions to 2016 and 2017. The guidance also makes clear that such waiver extension flexibilities do not affect state and local laws on teacher evaluations. And, given the wide variation of how and extent to which student performance data are used as an important element in teacher evaluations, it is conceivable that for waiver states, two different systems of teacher and principal evaluations could occur, one for state law and one related to state waiver flexibility under ESEA flexibility guidance. Also, it remains unclear as to how many states will likely apply for the so-called waiver-on-waiver extension, since many may feel they already meet such requirements, or have met the most important requirements, which are state and local laws.

#### **Miscellaneous (d)**

As reported by Education Week (November 4<sup>th</sup>), Florida received approval to reallocate \$1 million of its \$700 million Race to the Top award. Georgia is reportedly “Already in trouble after deciding against implementing a performance-based compensation system.” Tennessee received approval to shift funds to provide state-level oversight. As *Politics K-12* notes, these approvals are “just the tip of the iceberg,” and “What’s more, in reviewing states’ amendments in search of these deadline extensions, it became clear that implementing teacher evaluations continues to be a big trouble spot for most Race to the Top states. And, these states got a lot of money to help them dramatically revamp how they evaluate teachers. If they are struggling mightily, this only foreshadows the challenges for non-Race states that are

doing this work without the added cash.”

In anticipation of the student performance teacher evaluation issue, Secretary Duncan has allowed waiver-approved states to request the waiver-on-waiver for the one-year extension to 2015-16 of the teacher evaluation requirement. As some observers have noted, if all states decide to field test Common Core state assessments being developed by the two Federally-funded state consortia or other CCSS-aligned tests (the scores of which, according to USED, cannot be used for accountability purposes) then the use of student performance test scores for evaluating teachers would be eliminated. However, such requirements are likely to be enforced with sanctions on non-waiver states such as California, as noted in a related Washington Update item.

#### **Miscellaneous (e)**

The new non-profit National Center for Special Education in Charter Schools -- funded independently by a number of charter school groups, the Walden Foundation, and other foundations -- has its mission to break down barriers which stand in the way of enrolling and educating students with disabilities in charter schools in hopes to conduct research, provide sample policy language to states and charter authorizers, and help charter schools compete with traditional schools by serving as examples to others, according to Lauren Morando Rhim, one of the Center’s founders. As stated in its mission statement, the Center’s objectives also include briefing policymakers about the status and progress of students in charter schools and helping to provide access to effective instructional programs and individual supports while

providing for choice, autonomy, and accountability. The new Center recently released a report outlining the legal framework opportunities and challenges related to special education and charter schools. It hopes to go deeper than looking only at percentages served, and to provide useful information for charters. As a side note, the National Center for Learning Disabilities, during the last half of the last decade, received money from Cisco and other sources to create/expand the RTI Network which has been very effective in supporting the RTI “grassroots movement” among districts and advocacy groups. The independence of the RTI Network, some argue, has been responsible for the continued growth of RTI approaches without direct mandates, etc. at the Federal level, although, recently, some of the members of the National Center for Learning Disabilities have proposed the development and codification in IDEA of definitions of RTI approaches and its components.

### **Miscellaneous (f)**

USED has announced the 25 highest-rated applications (HRA) from districts and non-profits under the fourth round of the Investing in Innovation (i<sup>3</sup>) competition for more than \$135 million. They still must get additional matching requirements to be declared winners. Eighteen of the highly-rated applications are in the developmental category could get \$3 million each. Seven in the validation category could receive up to \$12 million each. For the second year in a row, USED did not select any potential grantees from the largest-funded “scale-up” category. Among the issues addressed by the 25 highly-rated applicants are programs

to develop and implement initiatives for training parents and families in skills and strategies supporting their children’s education growth and redesigning STEM course content and instructional practices to engage students and increase their academic success.

The *Curriculum Matters* blog on Education Week (November 11<sup>th</sup>) reported that the 25 highest-rated applications include a “strong focus on curriculum.” For example, the top-scoring Expeditionary Learning validation grant application will create free instructional resources for teachers to implement the CCSS by adding another 12 curriculum modules to its current collection of 36, all of which will have formative and summative assessments, performance tasks, curriculum maps, and lessons and guidance. The primary focus will be on novice teachers and high-needs students. Other grant applications with a strong curriculum focus include:

- Jacksonville State University plans to help middle and high school students in 18 Alabama districts to facilitate: use of technology skills, dual enrollment, and project-based learning;
- Waterford Institute’s proposal would promote home-based digital curriculum in math, science, and reading for preschoolers;
- several STEM-related projects in two Florida districts are related to dual-enrollment projects; and
- a University of California proposal to scale-up academic literacy programs to help English language learners in grades 7-12 complete core courses.

As the USED press release notes, the highly-rated applicants met the newly-revised evidence standards and definitions established in the Notice of Final Priorities published in the Federal Register in March 2013. Validation applicants had to meet “moderate effectiveness” evidence while development applicants had to have “evidence of promise of strong theory.” The March 2013 definitions and types of rigor of evidence to be considered are not only important for the i<sup>3</sup> program, but also, as we reported in our September (?) TechMIS Special Report, for all USED competitive grant programs in the near future. Moreover, as we noted in that TechMIS report, districts that apply for competitive grant programs, such as Title II Teacher Quality, TIF, etc., may also receive additional points if they can show that their existing formula programs, such as Title I and IDEA, are also using “evidence-based” practices that meet the definitions under the i<sup>3</sup> program.

As reported by the *Politics K-12* blog on Education Week, individual awards upon having required matching will range per applicant from \$3 million to \$12 million based on early estimates, but the Department has not yet provided individual award breakdowns. Only two traditional school districts were winners -- the Cabarrus County School System in North Carolina and Carroll County in Georgia. The University Public School Charter School operator in Arizona was a developmental winner, as was the Maricopa County Education Service Agency, also in Arizona. The list of the 25 highly-rated applicants is on the USED website (ed.gov) and press release of November 8<sup>th</sup>.

## Miscellaneous (g)

A new federally-funded website offers Common Core lesson plans especially for special education teachers who are “looking for ways to weave technology into Common Core themed lesson plans.” The website, operated by American Institutes of Research (AIR), Education Development Center, and the Center for Applied Special Technology (CAST), offers ten English/language arts standards and seven math standards resources which can be implemented now in classrooms, as reported by the *On Special Education* blog on Education Week (November 12<sup>th</sup>). Aimed at elementary and middle school teachers, all of the lesson plans can be used to incorporate technology into instruction. The blog quotes AIR Director Tracy Gray, “They want to be able to find information and use it” -- to dig deeply into standards to provide access and quality instruction for students with disabilities over the last three decades. One can anticipate that this website will increasingly become popular among the special education community and, perhaps, provide opportunities for some TechMIS subscribers to “partner” or otherwise add value to lesson plans provided on the new website called PowerUp WHAT WORKS.

## Miscellaneous (h)

A summary of MDR’s new survey in Education Week’s Marketplace K-12 blog (November 27<sup>th</sup>) reports that replacing textbooks with online resources was reported as a high to medium priority initiative by 78 percent of responding curriculum directors, while procuring apps was a high to medium priority for 77 percent. Eighty-four percent of respondents

reported modifying curriculum and instruction to meet Common Core Standards was a high priority, while modifying assessments was a high priority among 79 percent of respondents. Implementing more STEM programs and implementing personalized learning approaches was listed as the top priority among 44 percent and 35 percent of respondents, while 32 percent of respondents listed replacing textbooks with online resources as a top priority. While 68 percent plan to purchase Common Core new instructional materials, 66 percent of curriculum directors, especially those in urban districts, plan to create new materials from existing resources. Almost three-fourths of districts, especially small districts, plan to seek free materials from the two CCSS assessment consortia. About 43 percent of technology directors reported they were substantially prepared for online Common Core assessments. The full report, entitled “State of the K-12 Market 2012,” should be available from MDR in December.

### **Miscellaneous (i)**

A new Washington Insider survey finds that most influential policy “insiders” believe most USED policies are meant for urban and suburban districts, not rural ones. Relevant highlights are summarized below.

- Most feel teacher recruitment and retention is the biggest challenge facing rural school districts, followed by the lack of classroom technology;
- About 45 percent of insiders believe the lack of computers, tablets, and/or software is a barrier to delivering general education effectively in rural America and about 52 percent agree

lack of high-speed Internet connectivity is a barrier;

- About 60 percent feel rural districts see distance learning as an opportunity to provide offerings they would not otherwise offer;
- The biggest concern regarding online learning options is the ability to deliver instruction given the existing technology infrastructure, followed by cost; alignment with curriculum and standards is a low concern;
- Most insiders say rural school districts believe closing their schools through consolidation should be avoided at any cost and 65 percent feel that “compensatory revenues” should be provided to small districts to help them avoid consolidation.

Findings from another survey being conducted by Whiteboard Advisors will reportedly be available shortly.

The November Washington Insider survey also reported that most “insiders,” by slight majority, believe that both PARCC and SBAC Common Core assessment consortia are “on the right track.” This represents a significant increase for PARCC. One hundred percent of the insiders feel that ESEA will not be reauthorized before January 2015. The Chairman of the Senate HELP Committee responsible for reauthorization, Tom Harkin, recently called for an early reauthorization in 2014.





# Alabama Update

## November 2013

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In November, the Alabama State School Board voted to do away with the State's 30-year-old high school graduation exam, beginning with this year's seniors. State officials say the exam is no longer a good measure of college- or career-readiness. According to the Montgomery Advertiser, the State is working toward end-of-course exams in major required courses. Such exams are already in place in English I and Algebra I, although no cut scores have been established.

# Arizona Update

## November 2013

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USED has placed Arizona on a “high-risk status” which could mean it could lose its ESEA state flexibility waiver. According to Education Week’s Politics K-12 blog, USED questions the State’s definition of “student growth” and how it will be incorporated into teacher evaluations, for which USED has already provided Arizona a one-year exception through this year. As the blog notes, the State is still in “hot water” over its plan to make graduation rates count for 15 percent rather than the 20 percent which USED wants for rating a high school. Other states at high-risk continue to include Oregon, Kansas, and Washington.

# Arkansas Update

## November 2013

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Education Week (November 6<sup>th</sup>) reports that the Arkansas State Board of Education is “exploring” the possibility of a new State waiver rather than renewing its current waiver scheduled to run out the end of the school year. If the State does not submit a waiver renewal request or submit a new waiver request which it feels is more realistic, then it would revert back to being under NCLB requirements. According to the Arkansas News Bureau, the number of Arkansas schools classified as “achieving” has dropped over the last year to only 137, while the number failing to meet annual measurable objectives increased from 581 to 793. There are currently 38 priority schools, down from 48 last year, and 87 focus schools, down from 109 last year.

The Arkansas News (November 20<sup>th</sup>) reports that the State’s Education Commissioner Tom Kimbrell has asked coordinators of the Common Core State Standards initiative whether Arkansas has the flexibility to change and rename the Common Core Standards. The State has also received a letter from the Council of Chief State School Officers, one of the two leadership organizations of the CCSS, that says individual states can add 15 percent of state-specific materials onto the national standards. However, the letter does not address whether states can rename the standards. More than 20 states have already renamed or are in the process of renaming the Common Core State Standards in such a way to give it a more state-specific brand. However, in many states, the standards are essentially the same. USED has approved Alaska which has renamed its rigorous State standards as being “substantially similar” to Common Core Standards in order for the State to receive USED waivers. TechMIS subscribers are advised to consider using generic state standard names in materials in which curriculum assessments or other applications are allegedly aligned with Common Core State Standards in order to minimize red flags from popping up among opponents of Common Core Standards in specific states.

# Colorado Update

## November 2013

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By about a 2:1 vote, a \$950 million tax increase designed to benefit Colorado public schools was defeated in the November election; however, a measure that would levy a 15 percent excise tax and a ten percent sales tax on legal marijuana sales, a portion of which would be used for troubled school construction, passed by a large margin. Some of the extra money from the defeated proposition would have been directed to services for minority and English language learners, according to the *State Ed Watch* blog on [Education Week](#), which also notes that campaign contributions totaling \$2 million from the Gates Foundation and New York City Mayor Bloomberg did not turn the tide.

As reported in [The Denver Post](#) (November 5<sup>th</sup>), during the first year of the Colorado Reading Corps (CRC), 208 of 472 K-3 students who were at-risk last Fall improved program completion and increased literacy competency at the end of the school year. The Colorado Reading Corps involves 50 AmeriCorps volunteer tutors who read with 15-18 students for 20 minutes each school day until students meet grade trajectory, at which time another at-risk student takes their place.

# Florida Update

## November 2013

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Following Florida's withdrawal as fiscal agent from the PARCC Common Core assessment consortium, Governor Rick Scott's call for public comments on Florida and the adoption of Common Core standards has drawn more than 19,000 comments. State education department officials analyzed the comments and the resulting State summary was presented to the State Board on November 19<sup>th</sup>. The standards are already in place in Florida's elementary schools with the remaining higher grade standards to be implemented in 2014-15. Education Week notes that the State has asked companies to bid on a three-year contract to develop a test tied to the new standards; however, a caveat in the RFP states that "the degree to which these standards, and by extension the assessments, will be adjusted is to be determined." Florida school superintendents have requested three additional years to implement the Common Core Standards for all grades.

The Miami Herald has highlighted Florida's teacher evaluation system under which as many as two-thirds of the State's teachers are being judged based on the test scores of students they have never taught or on subjects they do not teach. The expected solution to the problem rests with the development of many new exams which are expected to be ready next school year. Many observers question the approach, saying that development and implementation of the assessments could be so costly that Florida's school districts would not have the time nor money to make the system work by 2014 when according to law, teacher pay and job security must be linked to evaluations.

Education Week's Digital Education blog reports that the Miami Dade school district is putting its one-to-one computer initiative on "pause" and is "rethinking its earlier preference for tablet computers and is reconsidering its original plan to give students their own devices." Last Summer, approval was given for a plan to borrow \$63 million to lease more than 150,000 devices. However, reported problems in other one-to-one initiatives (e.g., North Carolina, Los

Angeles) have caused Dade County officials to reconsider the program. One of the additional reasons for the “pause” was the district’s failure to include keyboards as part of its original purchase plan. District officials said that, as an alternative to providing take-home computers, the district was considering a classroom model which would provide teachers and students an opportunity to get to use them more. Final decisions will be made by the end of this year.

# Georgia Update

## November 2013

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The Augusta Chronicle reports that, under Georgia's new policy with respect to the State's career- and college-readiness performance index, scores in social studies, science, and language arts are weighted just as much as reading and math. Under NCLB, social studies has been neglected. Out of 180 Georgia school districts, only 24 have social studies coordinators. A survey conducted by CEP in 2007 found that more than 30 percent of schools decreased time for social studies as a result of NCLB. In 2013, 58 percent of Georgia high school students passed the U.S. history end-of-course test compared to 34 percent in 2008. Officials perceive the need for increased professional development and some institutional changes for social studies instruction.

# Idaho Update

## November 2013

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The Albertson Foundation has funded the new Rural Opportunity Consortium of Idaho which is designed to study nine areas that will provide research on effective ways to help diverse populations in rural districts. Included in the nine areas are: rural education and Federal policy; school finance; innovations in technology; migration patterns; rural charter schools; and policy and regulatory constraints. Heading the Advisory Group will be researcher Paul Hill; a task force of nine noted education leaders across the country who will do the research, including Andy Smarick and Andrew Rotherham, among others. Over a decade ago, the Albertson Foundation contributed more than \$20 million, over several years, to an Idaho technology initiative in which several TechMIS subscribers at that time participated and benefitted.



# Indiana Update

## November 2013

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Education Week's *State Ed Watch* blog notes that Indiana's A-F school accountability system has been steeped in controversy over the past year. Headed by State Superintendent Glenda Ritz, a legislative panel has approved a plan that adjusts the rating system to emphasize tracking individual student growth on tests. The new plan, to become effective in the 2014-15 school year, highlights student year-to-year improvement on State accountability exams. Moreover, the "performance" component of the rating system gets more weight for high school students, while the "growth" component matters more to elementary and middle school students. There continues to be disagreement between members of the State school board and the Superintendent over how the grades for schools are calculated.

# Kansas Update

## November 2013

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The Kansas City Star reports that Kansas Governor Sam Brownback has proposed a new reading initiative designed to use after-school reading programs to help students in high-poverty school districts. The plan has met with early controversy over the funding of the effort. The Governor wants to use \$9 million in each of the next two years from Federal assistance funds for low-income families, supplemented by private contributions. Critics of the plan say the initiative would shift money away from families who need assistance for such basic needs as food, shelter, and utilities.

# Louisiana Update

## November 2013

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Education Week notes that some Louisiana legislators are criticizing State educational officials for moving too fast in its implementation of the Common Core State Standards. State officials have defended the new, more rigorous standards and the pace of implementation. But critics say the transition has occurred with too little guidance and that students and teachers are being held accountable without adequate preparation. They also argue that the State has not provided enough funding for the computer technology necessary to implement the online standardized testing associated with the Common Core. State officials acknowledge that some school districts have done more than others to prepare.

The Louisiana Department of Education announced a plan to increase expectations related to Common Core implementation over two years and will allow two years to explore/study new expectations. The plan will be presented to the State Board of Elementary and Secondary Education in December.

# Maryland Update

## November 2013

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The Partnership for Assessment of Readiness for College and Careers (PARCC) announced that, beginning January 1<sup>st</sup>, Maryland will replace Florida as the fiscal agent for this consortium of 18 states plus the District of Columbia. Field testing will begin in March 2014 in 14 PARCC states -- Arizona, Arkansas, Colorado, Illinois, Louisiana, Maryland, Massachusetts, Mississippi, New Jersey, New Mexico, New York, Ohio, Rhode Island, and Tennessee.

# Massachusetts Update

## November 2013

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The State Education Board approved a plan by Massachusetts Commissioner Mitchell Chester to allow a two-year phase-in transition to the PARCC Common Core exams. Two-thirds of the State's schools will participate in the PARCC field test under the double testing waiver in grades three through eight; the remainder of the schools and students will take the existing MCAS. According to the *Curriculum Matters* blog on [Education Week](#) which broke the story (November 19<sup>th</sup>), the State Board would decide in Fall 2015 whether to adopt PARCC based on field test results. If it so decides, the PARCC tests would be given to students in grades three through eight in the Spring of 2016, while tenth-graders would still have to take the MCAS. As a bellwether state in the standards movement, Massachusetts' decisions are expected to have great influence over how other states deal with the Common Core standards and assessments.

# Michigan Update

## November 2013

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On October 29<sup>th</sup> the Republican-lead House approved a resolution to give the final go-ahead to fund the implementation of more rigorous and uniform Common Core Standards. According to Education Week, the Michigan Department of Education says the State should continue with its plan to implement the Smarter Balanced assessments aligned with the Common Core standards being adopted in Michigan. The State legislature has waffled on the Common Core and its assessments. Recently, lawmakers allowed spending on the Common Core standards, but deferred allowing the Smarter Balanced tests to replace the current Michigan Education Assessment Program exams. State education officials say that the Smarter Balanced assessments are the “only viable option” to avoid violating the law by having no standardized tests next year.

In the November 19<sup>th</sup> issue of Bridge Magazine reports that only one in four would-be teachers passed a new beefed-up version of the Michigan teacher certification test which must be passed for teachers to be hired. The test was administered for the first time last month. The article notes that the initial overall pass rate on the older version was 82 percent whereas the most recent pass rate was 26 percent. The pass rate on the math section of the new test fell from 90 percent to 45 percent, and for the writing section scores plummeted from 92 percent to 31 percent.

# Mississippi Update

## November 2013

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Carey Wright, a former Superintendent for Special Education and Student Services in Montgomery County, Maryland, who once served as Chief Academic Officer under Michelle Rhee in the District of Columbia school system, has been appointed Mississippi's state superintendent.

According to Education Week, 72 groups have indicated an interest in competing for \$3 million in new State funds for preschool programs which are to serve at least 1,325 children. To the extent providers provide half-day programs, more children could be served. Mississippi has been one of only 11 states nationwide with no state-funded preschool programs. Applications were due November 5<sup>th</sup>. Fifty of the community consortia are led by public schools with the rest headed by private childcare centers or non-profit groups. At least 48 Mississippi school districts are using Title I funds to pay for pre-K classes.

# Missouri Update

## November 2013

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As reported by the Kansas City Star, a recent survey indicated that 70 percent of Missouri school districts are implementing Common Core State Standards now and half of the remaining districts will be implementing them next year; 16 percent responded being unsure. Among Kansas City area districts in both Missouri and Kansas, over 90 percent support the Common Core standards.

According to the Columbian Missourian, Missouri Governor Jay Nixon has announced \$10 million in support for the State's "Start Smart" prekindergarten programs targeted at low- and middle-income families. The Governor also restored \$7 million in funding for the Missouri Preschool Project and Early Head Start.



# Montana Update

## November 2013

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According to the *Curriculum Matters* blog on Education Week, Montana is the first state to receive a testing flexibility waiver from USED and will replace its State assessment this Spring with the Smarter Balanced consortium field test. The field test will involve both of the Smarter Balanced tests in math and language arts for all students in grades 3-8 and 11. As such, the field test results cannot be used for accountability purposes or for teacher evaluation related to personnel decisions. Accountability designations for this year for all schools/districts will remain the same next year.

# Nevada Update

## November 2013

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Under a new State law, non-resident veterans are allowed to pay in-State tuition at University of Nevada colleges. Nevada joins 19 other states that provide in-state resident waivers to student veterans. Eight other states have school systems that offer the same waiver and nine others have pending legislation, according to the Students Veterans of America which has more information on its website. In Nevada, 100 out-of-state veterans are paying in-State tuition and fees at U.N. Las Vegas. Under the new law, non-State veterans pay about \$6,500 for tuition and fees for 15 credit hours, compared to slightly over \$20,000 for regular out-of-state enrollees. About 1,200 veterans are attending UNLV, of which 900 are receiving tuition benefits through the new GI Bill. Information on states that offer in-state residency to student veterans can be viewed at [www.studentveterans.org](http://www.studentveterans.org).

# New Jersey Update

## November 2013

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According to [newjerseynewsroom.com](http://newjerseynewsroom.com), a bill has been introduced in the New Jersey legislature that would establish a task force to study issues related to full-day kindergarten, including Statewide implementation. Currently, students in the State's 31 poorest school districts (the so-called Abbot districts) attend full-day kindergarten. The bill (S-2763) would create a 21-member panel to review existing research concerning full-day kindergarten as well as to study implementation issues, including staffing needs, facilities requirements, and funding needs. The task force would also look at curriculum comparisons between full-day and half-day kindergarten.

The New Jersey Spotlight (November 20<sup>th</sup>) reports that the State will suspend the requirement that high school graduates pass the State language arts and math tests to receive a diploma. Currently, ninth- and tenth-graders will be tested in both subjects using three separate tests, with the scores being included in the students' permanent transcript. Beginning in 2014-15, PARCC assessments will begin implementation and provide end-of-course mastery assessments.

# New Mexico Update

## November 2013

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An October 27<sup>th</sup> article in Education Week reports that the New Mexico Teachers Union is creating stumbling blocks for implementation of the State's teacher evaluation system which is almost certain to complicate New Mexico's bid to get its No Child Left Behind waiver renewed in January or February. Local teachers' unions argue that the new system places too much weight on student test scores to determine teachers' evaluation scores and are threatening strikes. The AFT calls for replacing the A-F grading system and asks that the State request a one-year extension for the teacher evaluation system. State Superintendent Hannah Skandera does not think it is a good idea for the State to delay teacher evaluation implementation in accordance with waiver conditions. The AFT has already filed a lawsuit and the NEA is thinking of taking legal action.

# New York Update

## November 2013

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Education Week reports that a group of school parents in New York City has filed a lawsuit to enjoin State officials from sharing student information with In Bloom based on the claim that individual student data would be disclosed without parent consent which violates State privacy laws. In Bloom has received about \$100 million in grant money from the Gates and other groups to store student data accessed through the Internet which has raised privacy concerns in other states.

# North Carolina Update

## November 2013

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The Community College Times, published by the American Association of Community Colleges, reports that the North Carolina State community college system has begun a four-year effort -- called Success NC -- that includes 15 components to increase college completion. The first component is a redesigned dual enrollment program where students enroll in tuition-free program pathways leading to degree completion. To help students who need developmental education to exit from the program, courses have been shortened and modularized to meet individual student needs. Another component is on- and off-campus learning opportunities to allow students/workers to re-enter or provide transition. About 80 technical programs across different areas such as transportation, energy, manufacturing, environment, and construction have been re-engineered. Preliminary anecdotal data suggest positive results.

In early November, the North Carolina Supreme Court heard arguments to determine whether the State would be required to pay for preschool programs intended to reduce achievement gaps. According to Education Week, the obligation would have added 60,000 more children at a cost of \$300 million per year. The Court has ruled, however, that the case is moot because the State legislature has fixed the problem.

# Oklahoma Update

## November 2013

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According to Education Week's *State Ed Watch* blog, Oklahoma's A-F school accountability system has seen considerable controversy in recent weeks because of grading problems and a study from the State's two major public universities that appears to show that the system is unfair and unbalanced. The study by University of Oklahoma and Oklahoma State University researchers says the State's A-F system fails to take into account the socioeconomic character of students at individual schools and that as few as three correct answers on the State's accountability exams can separate an "A" school from an "F" school. In addition, many district superintendents claim to have found numerous problems with the data behind the school grades.

# South Dakota Update

## November 2013

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In 2011, South Dakota established a 100-point school performance index that included a wide range of performance measures. The index was slated for full implementation in the 2014-15 school year. According to The Argus Leader, however, the State has decided to eliminate two of the evaluation categories: school climate and teacher/principal effectiveness. It was argued that incorporating school climate into school evaluations provided a disincentive for schools to be honest about their problems. The State also decided that it was too difficult to get all school administrators to be equally stringent in evaluating their own staff.



# Texas Update

## November 2013

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Education Week (November 22<sup>nd</sup>) reports that the Texas Board of Education approved the dropping of Algebra 2 as a requirement for high school graduation. Even though the approval is preliminary, it is part of a major overhaul of standardized testing and curriculum approved by the legislature last May and is designed to provide student flexibility to focus on career and vocational education versus college prep courses. The new law also cuts the number of standardized tests students must pass from 15 to five. In a related matter, the Board extended preliminary approval of new science books, but held up one biology text because of alleged factual errors. Evidently, 20 concerns pertaining to the theory of evolution will be examined by three outside experts selected by the Board to scrutinize the book. The biology text publisher has challenged the alleged areas. Evolution versus creationism remains a major issue in Texas.

# Virginia Update

## November 2013

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As reported on [HamptonRoads.com](http://HamptonRoads.com), the number of students enrolled in the Virtual Virginia online program has nearly tripled from 6,988 in 2011 to 19,607 today. Districts pay a per-student license fee of \$10 and provide textbooks and materials. Several versions of online courses are used, ranging from self-paced courses, group instruction, and testing occurring completely online.

# Washington Update

## November 2013

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When the Washington State legislature convenes in January, it will have to address the issue of bringing the State's teacher evaluation system up to Federal standards. Education Week reports that Washington State's new teacher evaluation law requires students' growth data to be part of teacher evaluations, but gives local school districts flexibility as to which data to use. Currently, Statewide test scores "can" be a factor in teacher evaluations. The U.S. Department of Education says the law should read "must" if the State is to meet the requirements for a waiver for the requirements of the Federal No Child Left Behind Act.

# Wisconsin Update

## November 2013

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Education Week (October 29<sup>th</sup>) reports that nearly 80 percent of Wisconsin students who received vouchers to attend charter and private schools this year did not attend a public school last year. Seventy-three percent of students who got vouchers went to private schools last year, while only 2.4 percent were home-schooled. Proponents of the expanded voucher program argued that vouchers help move students from failing public schools to private schools. Recent media items noted that the expansion of charter schools would drain more money from certain types of public schools as students left them to attend charters.

A bill approved by the Wisconsin State senate would increase the number of math and science credits students must earn to graduate from two to three in both subjects as a result of implementation of Common Core Standards. The expectation, according to Education Week, is that all students will complete math coursework through Algebra II level. Computer science would count as math credit and agriculture science courses would receive science credit. Districts have greater flexibility in awarding credits to students in career and technical education programs.

# Wyoming Update

## November 2013

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The WyoFile Beat reports that the Wyoming Joint Education Committee voted to draft a bill that would create a new office in the State Department aimed at improving pre-K education. In addition to the Department of Education, the Departments of Health, Family Services, and Work Services would collaborate on the 50 disparate programs they currently operate. The Envision model follows a guide developed by the Wyoming Early Learning Foundation and produced by the Wyoming Early Childhood Advisory Council and the Wyoming Quality Counts Program in the Department of Workforce Services. The guide lays out the ten domains across a set of academic and social skills that students need to master in kindergarten.