# Education TURNKEY Electronic Distribution, Inc.

## MEMORANDUM

**DATE:**     December 4, 2014

**TO:**     TechMIS Subscribers

**FROM:**     Charles Blaschke and Suzanne Thouvenelle

**SUBJ:**     Final Waiver Renewal Guidance; E-Rate Update and Refunds; Implications of Reports on Common Core Implementation; ConnectED Update; Likely Election Impact on Policies; and Related Measures

Attached are three TechMIS Special Reports and a Policy Alert.  The first Special Report addresses new USED state waiver renewal guidance which "nudges" current waiver states to continue progress made and attempts to close some loopholes, but does not have much student performance accountability "teeth."  However, several new funding opportunities could be created.  The second report summarizes findings from two Center on Education Policy reports on district-level implementation of Common Core curriculum/development and assessments, with some findings that have major implications for TechMIS subscribers.  And last, an E-Rate update report addresses a proposed $1.5 billion increase in the E-Rate funding cap, which has to be approved by the FCC commission; the report also includes districts receiving E-Rate funding commitments during the third quarter, many of which are "refunds" which can be used to purchase non-eligible E-Rate products and services.

While we feel it is very preliminary, we have also included a Policy Alert on the likely impact of the midterm elections, at both the Federal and State levels, on policies which have implications for TechMIS clients.  More information will be provided in the January TechMIS report and Policy Alerts when they arise.

Washington Update headlines include the following:

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  A New Survey by the Institute of Education Sciences Reports the Number of SIG Improvement Practices Used by Schools Which USED Promoted and Encouraged to Implement the Transformation or Turnaround Models; but the Survey Did not Include

Questions on Certain Practices (e.g., RTI approaches) of Interest to Some TechMIS Subscribers

d) The new nationwide eleventh edition of Evergreen Education Group on digital learning progress has found that despite seemingly universality of digital education in the nation's schools, student access varies enormously, as reported in <u>Education Week's</u> *Marketplace K-12* blog (November 4th).

e) USED has identified 26 Investing in Innovation ($i^3$) applicants which will receive grants totaling $130 million if applicants secure private matching funds by December 10th.

f) The Smarter Balanced assessment consortium has projected the number of students which will score at Level 3 or higher on its Common Core state assessment to be given in 22 states in the spring with other students needing remediation/support.

g) <u>Education Week's</u> *Politics K-12* blog (November 21st) reports that Secretary Duncan is urging National Assessment of Education Progress (NAEP) officials to "lead the way in thinking about the next generation of assessments, saying they have a unique role as 'truth tellers' as states seek better ways to gauge what students know."

During the next 30-40 days, USED should publish <u>final</u> School Improvement regulations, which should provide more positive information for TechMIS subscribers on use of new allowable interventions, including SEA "homegrown" and whole school reform strategies, and additional flexibilities discussed in the October TechMIS Special Report on comments from influential groups (e.g., Council of Great City Schools). Also, action on the current Continuing Resolution or for a FY 2015 budget should occur next week or in January-February. During this time period, further developments and negotiated proposals for ESEA reauthorization should become more apparent. Updates and alerts on these issues will be sent to subscribers after they occur and/or will be included in the next full TechMIS report in late January. State profile updates, focusing primarily for state on state funding issues, the impact of the mid-term elections, and state proposed budgets will also be included in the next TechMIS report.

Until then, the entire TURNKEY team -- Suzanne Thouvenelle, Cyndi Mercado, and Blair Curry -- wish you a happy holiday and prosperous New Year.

# Special Report:
# New USED Waiver Renewal Guidance Mostly "Nudges" States to Continue Making Progress in Implementing Their Existing Plan, and "Attempts" to Close Some Loopholes, But Does Not Have Much "Teeth" in Holding Low-Performing Schools, Districts, and SEAs Accountable for Increasing Student Performance

The final guidance to states for final waiver approval next year continues to exert pressures and exhortations for most states to hold them accountable for implementing processes, but not necessarily increasing schools' student performance. Without having to report student performance data, states are to close some achievement "gap" loopholes. Bowing to pressures from minority advocacy groups, a number of "new" reporting requirements are designed to prevent Priority and Focus schools from concentrating efforts on student performance, which tends to "mask" progress or lack thereof, for individual subgroups in which achievement gaps could exist or even increase. However, states are required to apply "more rigorous interventions" in low-performing Priority and Focus schools with a primary focus on special education, English language learners, and minority subgroups of students. As Education Week's *Politics K-12* blog states, "None of this adds up to a big departure from what states are currently being asked to do."

In terms of some changes to the renewal process, the new guidance does provide incentives to some states which are well "on track" to continue making progress by allowing them to apply for a four-year waiver approval in January 2015. These states include Florida, Kentucky, North Carolina, New York, Nevada, Tennessee, Virginia, and most likely Georgia and Mississippi, according to Education Week. However, the big question for these states, as well as the remaining states with waiver extensions, is whether such states will have to make changes to their state accountability system to meet some of the continuing conditions for waiver approvals. This could be a major concern in the future, if under a new Administration or at least a new Secretary of Education, the waivers are withdrawn in states which have passed new state laws to meet waiver approval conditions. If waiver renewals are withdrawn and current NCLB or ESEA provisions such as "supplement-not-supplant" continue with a strict interpretation, then such

states run the risk of districts not being able to use Federal Title I and other funds to pay for services previously allowed by the waivers, which would violate supplement-not-supplant provisions related to the "required by state law provision." For example, if a state passed a state law, or included in the education code, to "require" response-to-intervention (RTI) approaches be provided to struggling students as part of its plan to apply "more rigorous interventions" to subgroups of students in Priority schools, then if the waivers are withdrawn, Title I funds could not be used to pay for the cost of RTI approaches as they would result in a violation of the supplement-not-supplant required by state law provision.

While it is very likely that the waivers totally or in part will be withdrawn within the next two years, when it happens, many state legislatures and/or policymakers will be busy determining what state laws will remain in place and which will be revoked; this will create in some states a great deal of uncertainty regarding allowable uses of Federal funds, which would create   market paralysis in such states.

The Waiver Approval Guidance Form includes two new options which could have implications for a number of TechMIS subscribers. New option 13 would allow the SEA to request a waiver so that "when it has remaining section 1003(a) funds after ensuring that all Priority and Focus schools have sufficient funds to carry out interventions, it may allocate Section 1003(a) funds to its LEAs to provide interventions and supports for low-achieving students in other Title I schools, when one or more subgroups miss either AMOs or graduation rate targets or both over a number of years." Previously, the SEAs 1003(a) funds, which are referred to as the 4% SEA set-aside, could be allocated to districts to serve only their Priority or Focus schools. The new waiver option would allow the remaining 4% set-aside funds to be allocated to "any other Title I school" for RTI and related interventions for subgroups which miss achievement targets over time. Thus, firms with a RTI product/service could provide for specific "subgroups" students an opportunity. The SEA, however, must demonstrate in the renewal request that it has a process to ensure all of the Priority and Focus schools have sufficient funding to implement their required interventions before redirecting remaining funds to "other Title I schools." The 4% set-aside for the last two years has been approximately $500 million, but could only be used for interventions in Priority and Focus schools. For several years some states such as Texas, have sought to use part of their 4% set-aside to serve Tier III SIG schools, as well as "other Title I schools."

The other new waiver option is designed to allow states not to double test a student who is not yet enrolled in high school, but who takes advanced high school-level or mathematic coursework. Currently, such students also have to take the state assessment. As the waiver renewal form states, "For Federal accountability purposes, the SEA would use the results of the advanced, high school-level, math assessment in the year in which the assessment is administered and will administer one or more additional advanced, high school-level, mathematic assessments to such students in high school, consistent with the State's mathematics content standards and the use of results in high school accountability determinations." As the option states, the SEA "must demonstrate in its renewal request how it will ensure that every student in the state has the opportunity to be prepared for and take courses at the advanced level prior to high school." This new option should reduce "double testing" for students taking advanced placement and other coursework.

In the November 17th *Politics K-12* blog, Alyson Klein reported on a Q&A session between Secretary Duncan and three State Superintendents during the Council of Chief State School Officers annual meeting in San Diego shortly after the new Guidance was released.   While the three chiefs were pleased with the lack of "new strings" attached for states, they inferred what Secretary Duncan's "sticking points" would be in the approval process next year.  One would be retaining annual state assessments for accountability as opposed to use of "pilots" or "competency based" testing as proposed in New Hampshire, and other approaches such as sampling tests in certain grade spans.  The "other line in the sand" was the renewed emphasis that the Secretary has placed on "looking out for all students, not just some students" which June Atkinson, Superintendent North Carolina, felt would be key to approval.

# Special Report:
## The Center on Education Policy Releases Two Reports on Common Core District-Level Implementation in the Areas of Curriculum/Professional Development and Implementation of Consortia-Developed Assessments; Some Findings Have Major Implications for Most TechMIS Subscribers

Following the release of its first Common Core Implementation report last month (see October TechMIS Special Report), CEP has released findings from two follow-up reports, which provide new information of interest to TechMIS subscribers. These findings are highlighted below.

In the report on "Curriculum and Professional Development at the District Level," perhaps the most significant finding with implications for subscribers is "In more than 80 percent of districts in the CCSS-adopting states, curriculum materials aligned to the CCSS are being developed locally, often by teachers or the district itself." CEP found in about two-thirds of the districts, teachers are developing their own curriculum materials in math and English/language arts; and about half of the districts reported having developed their own CCSS-aligned materials. Also, only about one-third of the districts are using or will use CCSS-aligned curriculum materials developed by for-profit entities, while about 14 percent are using or will use materials developed by non-profit organizations. About four-fifths of districts are using local sources (e.g., district or district teachers, or other districts in the state) as a primary source of aligned curriculum materials. As Education Week's *Curriculum Matters* blog (October 30th) concludes that initial fears that Common Core would produce "one national curriculum" appears to be unfounded as "The survey suggests that big publishers aren't dominating districts' Common Core curriculum choices." As we suggested in our October TechMIS report on the first CEP survey report, some opportunities likely exist for many TechMIS subscribers to partner with teachers or local districts in developing, customizing, or otherwise facilitating the availability of aligned curriculum materials. Also noted in the previous TechMIS report, the opportunities will continue to exist for awhile, as the new CEP report reiterated, "Only about one-third of districts report they have implemented CCSS curriculum in all schools, while two-thirds expect to do so this year or later."

The CEP report also identified providers for certain types of professional development related to CCSS implementation. The primary providers of professional development are teachers in the school district itself (92%), followed by state service centers (83%), and SEAs (73%). Almost 50 percent of districts reported teachers are developing their own professional development; about half of the districts reported some CCSS-related professional development is being provided by for-profit entities, and about a third reported non-profit organizations as a source of professional development (note to CB strike principals).

The professional development topics covered in the survey included "CCSS content" and "aligned instruction" and "the use of data to inform instruction and improve student learning." PD provided by districts and teachers were listed 60-80 percent of the time for CCSS content and aligned instructional strategies; for-profit entities were listed at 33 percent and 28 percent respectively for these two areas. Twenty-two percent of districts reported training provided by for-profits in the area of using assessment data to inform instruction.

The report also found about one-third of districts said all of their teachers were prepared to teach CCSS, while about two-thirds expect it will take until school year 2014-15 or later before all teachers were prepared. While the reported percentages above indicate the "participation rate" of for-profit organizations, they do not indicate specifically the relative amount of funding/expenditures provided to for-profit organizations. However, the above participation rate between 20 and 30 percent for for-profit organizations is about the same as TURNKEY estimates of the amount of professional development expenditures going to for-profit organizations generally in K-12, which is between 20 and 25 percent. When one compares the reports' findings on the participation rates of non-profits in providing materials or professional development, the participation rates of for-profits is about 25 to 50 percent higher across the curriculum and professional development areas.

The CEP report on district implementation of consortia-developed assessments identified several areas in which opportunities might exist for TechMIS subscribers as noted below.

In terms of the impact of new assessments, districts appear to have a "wait and see attitude about how useful the new assessments will be in improving instruction and providing information to teachers, parents, and students." While many districts are planning to revise their own interim formative assessments, few are considering eliminating them. More than 50 percent are considering revising their "formative assessments" in math and English/language arts (ELA), but only two percent are considering eliminating them; similar percentages are considering revising the "interim assessments" used to predict how well students will perform on future high-stakes tests.

CEP also found that about one-third of districts in consortia states are considering revising their own end-of-course (EOC) exams in math or English/language arts. About 20 percent of states do not administer EOC exams in math or English/language arts. In addition, about 22 percent of districts are considering revising their Career and Technical Education assessments with an equal percentage not considering changing these assessments or do not currently use such assessments.

Similar to findings from a number of other studies, about three-fourths of districts report not having enough computers with adequate speed and other characteristics to administer CCSS-aligned assessments, and about half of the districts do not expect to have in place the technological infrastructure needed to administer online assessments until school year 2014-15 or later.

As we have noted in previous TechMIS reports, the use of the more rigorous high-stakes consortia-developed assessments will create an expanded market for remediation and support services for an increased number of students failing to meet college and career-readiness standards.  Based on the experience of states such as Kentucky and New York, which have used CCSS-aligned state assessments, there are significant increases in students' need for extra assistance or remediation.  One key finding from the CEP survey is: "Most districts already have or are developing plans to target support services for students who scored below the proficient level on previous state math or ELA exams (88%) or for students who reach the proficient level, but still need additional assistance to pass CCSS-aligned assessments (84%)."  More than ten percent of the districts in consortia states reported they do not have a plan to provide such targeted services.  The survey also found that 25 percent of districts, which have a plan to assist non-proficient students and 28 percent of districts which feel the need to provide extra services, reported they lacked the resources to implement their plans.  Conversely, one may infer that approximately three-quarters of such districts planning to provide remediation or extra support do have adequate resources, which should create a major demand for products and services, which can be used by districts in providing such services.

As an update to the CEP report findings (based upon the Spring 2014 survey) on Common Core implementation generally and specifically assessments, it should be noted that the vast majority of newly-elected governors (e.g., Arizona, Georgia, Maryland, and Wisconsin) and some governors which were re-elected (e.g., Florida, Utah, Alabama, and Mississippi) in the November mid-term vote, have called for stopping, postponing, or otherwise modifying significantly the implementation of CCSS, and in particular planned assessments.  Also, for the first time in a hundred years, the GOP now has the majority in both houses in 30 state legislatures.  Both of these political conditions could "rekindle" greater opposition to Common Core.  As we reported in the last TechMIS Special Report, approximately 46 percent of districts' superintendents in CCSS adopting states reported that continued "uncertainty" about whether the state will "pull out" from CCSS implementation is a factor in their overall planning and scheduled implementation.

# Special Report:
# FCC Chairman Wheeler Proposes to Increase the E-Rate Funding Cap by $1.5 Billion to a Total $3.9 Billion; Districts Receiving E-Rate Funding Commitments for the Third Quarter (July-September) Announced with Many Receiving "Refunds"

*A Technology Monitoring and Information Service (TechMIS)*
*<u>Special Report</u>*

*December 4, 2014*

On November 17<sup>th</sup>, FCC Chairman Wheeler announced his "proposed" E-Rate program funding cap increase from $2.4 billion to $3.9 billion, which will be voted on in the FCC Commissioners' meeting on December 11<sup>th</sup>. According to <u>Education Week's</u> *Marketplace K-12* blog (November 17<sup>th</sup>), "The full five-member FCC would have to approve Wheeler's plan for it to take effect." The proposed increase was made after the mid-term elections. In July, the FCC approved a number of changes under the E-Rate Modernization Initiative which was opposed by the two Republican commissioners while supported by the Chairman and two Democrat FCC commissioners (see August 28, 2014 TechMIS Special Report for major details). Quoted in the <u>Education Week</u> blog, Chairman Wheeler argued that without the increase "leaving schools with poor connectivity by contrast [to wealthy schools] carried major consequences could occur for both the tech skills of students, particularly those in poor rural schools, and for the nation's long-term economic growth." Doug Levin, Executive Director of the State Educational Technology Directors Association (SETDA), felt that the increased funding, along with the reforms approved by the commissioners in July, will reduce disparities some schools pay telecommunication providers and reduce some of the struggles of rural communities to get reliable connectivity. He is quoted as saying, "Where I'm focused is what that additional money is going to do and what it would be directed toward."

We have included a list of districts that received E-Rate funding commitments from the FCC/SLD, during the last quarter (July-September), for applications submitted going back to 2007. Some of the funding commitment letters likely represent appeals that were filed by districts when they were notified that certain requests in their "prior" applications were denied. In other cases, the applicant's request was put "on hold" due to "complexities" (e.g., consortia applications) and/or "unresolved questions." In many cases, these districts went ahead and purchased the product(s) or services in question, paying the full pre-discount price. Because the Schools and Libraries Division (SLD) eventually found many of these appeals to be

"meritorious" and/or "questions" were resolved, these districts can request a check instead of a credit through the so-called BEAR process. Those districts doing so can use the E-Rate discount refund to purchase non-eligible E-Rate products and services such as instructional software, professional development, and related services and tools.

For example, in Exhibit 1, the district staff member who is a company sales representative's primary contact and who is interested in purchasing a non-E-Rate eligible product or service, should be asked to contact the district E-Rate office to determine whether the district purchased the E-Rate eligible product (e.g., Priority 1) and/or service at pre-discount full prices and whether a check was requested for the refund amount through the BEAR process; if so, she or he can ask the district E-Rate Director if some of that money could be used to purchase the desired product or service the firm sells.

The accompanying Exhibit 1 shows the 2007-13 SLD funding commitments greater than $50,000, some of which are likely for old appeals which have recently been found to be "meritorious" and the applicant district or other entity most likely paid the pre-discount full-price, especially those 2007-2012 commitments. These districts should be considered Priority 1 for E-Rate refunds that could be used to purchase non-E-Rate eligible products and services now. Exhibit 1 lists the 2013 funding commitments of at least $50,000 which went to school districts or other entities are displayed. Some, but not all, of these applicants could have taken the lead role by filing applications as a consortia agent for the districts. And some of the applicants receiving commitment notices for 2013 will not have likely purchased products at a pre-discount price while the review process was underway. However, those that did purchase products in question at pre-discount prices will likely submit the BEAR form and should be considered Priority 2 for having refunds that could be used to purchase non-eligible E-Rate products and services.

As emphasized in the August 28th TechMIS Special Report, under the new FCC E-Rate Modernization initiative, which is just beginning, the SLD will speed up the "appeals" and "on hold" review process, which will likely result in more timely "meritorious" decisions in 2015. Keep "tuned in" to TechMIS for timely updates and call us if you have any questions.

## E-Rate
## FundingYear 2014,Quarter 3(Jul-Sep) Commitments
**($50,000 or more)**

| Applicant | City | State | Amount Committed |
|---|---|---|---|
| **2007 Commitments** | | | |
| BAMBERG COUNTY SCHOOL DIST 1 | BAMBERG | SC | $57,389 |
| **2008 Commitments** | | | |
| BAMBERG COUNTY SCHOOL DIST 1 | BAMBERG | SC | $51,216 |
| **2009 Commitments** | | | |
| IRVINGTON PUBLIC SCHOOLS | IRVINGTON | NJ | $593,308 |
| **2010 Commitments** | | | |
| BAMBERG COUNTY SCHOOL DIST 1 | BAMBERG | SC | $76,800 |
| **2011 Commitments** | | | |
| SAN BERNARDINO CITY UNIF S D | SAN BERNARDINO | CA | $3,320,795 |
| **2012 Commitments** | | | |
| PUERTO RICO DEPARTMENT OF EDUCATION | SAN JUAN | PR | $7,921,870 |
| SAN BERNARDINO CITY UNIF S D | SAN BERNARDINO | CA | $2,275,965 |
| WEST OAKLANE CHARTER SCHOOL | PHILADELPHIA | PA | $246,753 |
| GREEN DOT PUBLIC SCHOOLS | LOS ANGELES | CA | $87,899 |
| BAMBERG COUNTY SCHOOL DIST 1 | BAMBERG | SC | $53,760 |
| HEBREW ACADEMY | HUNTINGTON BEACH | CA | $39,866 |
| **2013 Commitments** | | | |
| BERING STRAIT SCHOOL DISTRICT | UNALAKLEET | AK | $7,232,847 |
| CLEVELAND CITY SCHOOL DISTRICT | CLEVELAND | OH | $5,381,247 |
| METROPOLITAN NASHVILLE PUBLIC SCHOOLS | NASHVILLE | TN | $4,198,931 |
| LOWER YUKON SCHOOL DISTRICT | MOUNTAIN VLG | AK | $3,715,046 |
| SAN BERNARDINO CITY UNIF S D | SAN BERNARDINO | CA | $3,662,410 |
| KODIAK ISLAND BORO SCHOOL DIST | KODIAK | AK | $2,387,136 |
| ENTERPRISE TECHNOLOGY SERVICES | CHEYENNE | WY | $2,261,330 |
| YUKON FLATS SCHOOL DISTRICT | FORT YUKON | AK | $2,128,057 |
| CHARTER SCHOOLS USA | FORT LAUDERDALE | FL | $1,681,951 |
| ATLANTA PUBLIC SCHOOLS | ATLANTA | GA | $1,588,769 |
| GREEN DOT PUBLIC SCHOOLS | LOS ANGELES | CA | $1,367,320 |
| LAREDO INDEP SCHOOL DISTRICT | LAREDO | TX | $1,336,085 |
| KENTUCKY STATE DEPT OF EDUC | FRANKFORT | KY | $1,330,956 |
| BUFFALO CITY SCHOOL DISTRICT | BUFFALO | NY | $1,199,619 |
| SOUTHWEST REGION SCHOOL DIST | DILLINGHAM | AK | $1,142,190 |
| YUPIIT SCHOOL DISTRICT | AKIACHAK | AK | $1,000,888 |
| RESPONSIVE EDUCATION SOLUTION | LEWISVILLE | TX | $827,337 |
| SAN FRANCISCO UNIF SCHOOL DIST | SAN FRANCISCO | CA | $799,390 |
| CONNECTIONS ACADEMY | BALTIMORE | MD | $762,359 |
| IBERVILLE PARISH SCHOOL DIST | PLAQUEMINE | LA | $754,625 |
| ALHAMBRA UNIFIED SCHOOL DISTRICT | ALHAMBRA | CA | $643,183 |
| REEF-SUNSET UNIFIED SCH DIST | AVENAL | CA | $611,155 |

## 2013 Commitments (continued)

| | | | |
|---|---|---|---|
| PACE CENTER FOR GIRLS | JACKSONVILLE | FL | $606,455 |
| WHITTIER CITY SCHOOL DISTRICT | WHITTIER | CA | $572,624 |
| GLENDALE UNIFIED SCHOOL DIST | GLENDALE | CA | $568,606 |
| MONTEBELLO UNIFIED SCHOOL DISTRICT | MONTEBELLO | CA | $567,392 |
| LINCOLN UNIF SCHOOL DISTRICT | STOCKTON | CA | $556,833 |
| WASHINGTON STATE CONSOLIDATED TECH SERVICES | OLYMPIA | WA | $518,631 |
| TERREBONNE PARISH SCH DISTRICT | HOUMA | LA | $511,327 |
| CALHOUN COUNTY SCHOOL DISTRICT | MORGAN | GA | $498,967 |
| STRUTHERS CITY SCHOOL DISTRICT | STRUTHERS | OH | $496,047 |
| DILLINGHAM CITY SCHOOL DIST | DILLINGHAM | AK | $450,885 |
| CAHOKIA SCHOOL DISTRICT 187 | CAHOKIA | IL | $434,444 |
| STERLING EDUCATION NIF | MADISON HEIGHTS | MI | $374,460 |
| MONTEREY CO OFFICE OF EDUC | SALINAS | CA | $374,407 |
| THE OFFICE OF EDUCATION DEPARTMENT OF CHILDREN AND FAMILIES NEW JERSEY | TRENTON | NJ | $345,217 |
| LOUSIANA OFFICE OF JUVENVILE JUSTICE OFFICE | BATON ROUGE | LA | $296,354 |
| BRISTOL BAY BOROUGH SCH DIST | NAKNEK | AK | $259,727 |
| STOCKTON CITY UNIF SCHOOL DIST | STOCKTON | CA | $240,242 |
| CHUGACH SCHOOL DISTRICT | ANCHORAGE | AK | $227,485 |
| OTHELLO SCHOOL DISTRICT 147 | OTHELLO | WA | $211,268 |
| FOUNTAIN SQUARE ACADEMY | INDIANAPOLIS | IN | $210,744 |
| INCA COMMUNITY SERVICES | TISHOMINGO | OK | $205,353 |
| SC SCHOOL FOR THE DEAF AND THE BLIND | SPARTANBURG | SC | $199,514 |
| MINERAL WELLS INDEP SCH DIST | MINERAL WELLS | TX | $183,636 |
| LEARNING INSTITUTE OF UNION CITY INC. | UNION CITY | NJ | $182,407 |
| NW REG ESD-WASHINGTON SERV CTR | HILLSBORO | OR | $168,918 |
| LAWRENCE PUBLIC SCHOOLS | LAWRENCE | MA | $141,560 |
| CHRISTOPHER HOUSE CONSORTIUM | CHICAGO | IL | $120,255 |
| GARDEN GROVE UNIFIED SCH DIST | GARDEN GROVE | CA | $113,911 |
| LITTLE SINGER COMMUNITY SCHOOL | WINSLOW | AZ | $111,194 |
| MANTECA UNIFIED SCHOOL DISTRICT | MANTECA | CA | $108,072 |
| DEWAR INDEP SCHOOL DISTRICT 8 | DEWAR | OK | $95,103 |
| SAN FELIPE-DEL RIO CISD | DEL RIO | TX | $92,881 |
| BAIS SARA SCHOOL-DBA CONG. MACHNE CHAIM | BROOKLYN | NY | $87,595 |
| NEW COVENANT CHRISTIAN SCHOOL | BRONX | NY | $86,568 |
| ANDERSON SCHOOL | STAATSBURG | NY | $66,546 |
| TFOA PROFESSIONAL PREP CHARTER SCHOOL | BROOKLYN | NY | $54,826 |

# Policy Alert:
## Perceived Impact of Mid-term Elections on Education Policy Vary, Although Some Implications for TechMIS Subscribers Appear to Be Likely

While education groups, policymakers, and observers perceived different policy impacts, one general consensus appears to be that school choice will receive a greater priority as both the new GOP-controlled Senate and House and the Administration support charter school expansion, generally. New Senate HELP Committee Chairman Lamar Alexander and John Kline, Chairman House Education and Workforce Committee, consider it a major priority by itself, or as part of the ESEA reauthorization or "fix-it amendments." Chairman Kline appears to be supporting one of the original intents of the charter school "movement" to demonstrate innovative practices, which public schools can adopt; Chairman Alexander will push parent choice and the "follow the child" to charter school funding mechanism for Title I and/or other block grants. Not much pushback from the Administration can be expected in these areas, although disagreement over school choice via vouchers will likely continue. The bottom line is that opportunities for many TechMIS subscribers exist if such an expansion of charter schools increases significantly; approximately 2.7 million students are currently enrolled in public charter schools with large waiting lists in many cities.

Perceived impacts of the elections on Common Core implementation vary, in some cases significantly, not only because of new GOP control in the Senate, but most importantly due to changes at the state level. Six of the seven new governors are Republicans and the GOP controls both legislative houses in 24 states. The Association of American Publishers K-12 Early Learning Group feels the net increase of GOP governors who oppose Common Core is only three or four states, and the Council of Chief State School Officers which promoted Common Core with the National Governors Association is reportedly "pleased" with the results and does not appear to be overly concerned about the impact on Common Core implementation. On the other hand, a recent White Board Advisors survey of education "insiders" (November 6th) reported that while a large majority felt new GOP governors will continue to support school choice, insiders feel that the new state governance will greatly hinder Common Core State Standards (November 6th). Opposition to Common Core and/or directly-related assessments can

be expected from newly-elected governors in Georgia, Arizona, Oklahoma, South Carolina, and Wyoming. Nine newly-elected governors will also appoint state board of education members, who select chief state school officers. GOP governors will work GOP-controlled legislature, which certain observers feel will have a major impact not only on Common Core, but primarily on implementation of the two consortia assessments. In addition, of the seven state superintendents up for election, six of the winners were Republicans.

As Republicans now control the Senate, GOP leaders, especially Chairman Alexander, have called for a reauthorization of ESEA now, and generally doing away with the Obama/Duncan state waiver initiative; it is not probable that a full comprehensive ESEA reauthorization is likely without enough Democratic support, especially to override any presidential veto. Some political observers feel that some "fix-it" amendments during a transition period from waivers to ESEA reauthorization could occur in the short term, or the budgetary process could be used by Congress to do away with funds for some of the Obama priorities, such as Race to the Top, School Improvement Grants, and possibly Innovation in Education (i³) competitive grant programs; funds for large formula programs such as Title I and IDEA, which every Congressional district receives, could increase.

During the ongoing lame duck session, some of the "smoke" clouding these issues could be lifted as final action on a Continuing Resolution could occur shortly or early next year. Action through the appropriations process and/or technical amendments could have a much more immediate impact with implications for TechMIS subscribers than a full-fledged (but unlikely reauthorization), which would require a drawn out rulemaking process over eighteen months to two years.

The Administration's early reaction to the midterm election results is to hold a "steady course" on several issues including: a) a stronger push in Congress and among states for preK early education; b) holding the line on use of student test scores in teacher evaluations; and c) requiring reporting of test scores by subgroups of students as part of state accountability systems. The latter issue appears to be to have support of the new GOP leadership, particularly HELP Chairman Lamar Alexander.

Several implications for TechMIS subscribers are worth taking into account now, although the nature of opportunities could change over the next six months. If school choice via expansion of charter schools and "follow the child" funding occur quickly, increased opportunities will exist not only for sales of certain products to the increasing number of charter schools, but also opportunities to use such charter schools as "pilots" or "test beds" for new effective approaches, which districts can adopt; an increasing number of districts such as Houston and states such as Florida will be providing support and funding for their adoption in public schools.

Other likely policy changes which have implications for TechMIS subscribers are worth noting:
- As the likelihood of ESEA reauthorization increases, more and more states are likely to do what they want beyond the flexibilities granted to them in the waivers without fear of repercussions (e.g., in identifying schools in "greatest need" and allowing for alternative

interventions in these schools, and reducing the amount of required testing and/or allowing grade span testing).

- As national competitive grants (e.g., Race to the Top) are reduced, remaining competitive grants will most likely be at the state level, with some portions of formula program funding such as Title I and IDEA being set-asides for SEAs.

- If a Continuing Resolution through September 2015 or an FY 2015 budget does not include language to prohibit the planned "sequestration" for FY 2016, then a market paralysis similar to that which occurred in 2013 will begin to occur early next year.

As noted above, when the horizon appears to be less cloudy in December or early next year, more policy directions will be clearer and opportunities for TechMIS subscribers will become more apparent.

# Washington Update

**A New Survey by the Institute of Education Sciences Reports the Number of SIG Improvement Practices Used by Schools Which USED Promoted and Encouraged to Implement the Transformation or Turnaround Models; but the Survey Did not Include Questions on Certain Practices (e.g., RTI approaches) of Interest to Some TechMIS Subscribers**

The USED Institute of Education Sciences has issued a new "brief" identifying required or permissible practices, which were actually used by SIG schools implementing the preschool transformation or turnaround models; however, the survey did not include questions about the use of response-to-intervention (RTI) models, curriculum reviews, and other approaches, which some research suggests are important in increasing student performance more so than some of the procedural/structural practices which the survey covered (i.e., those which are relatively easy to identify and measure as input variables).

The survey, conducted in the spring of 2013 included 480 school administrators "in low-performing schools that were and were not implementing a SIG intervention model." As the report notes, "We examine these types of schools separately because SIG-promoted specific practices adopted by these two groups of schools may differ; however, the differences between the practices adopted by these groups of schools could have occurred even in the absence of SIG so

any observed differences should not necessarily be attributed to SIG." The report also identifies a number of other limitations of the evaluation design which was used, treatment of data, and other factors, which the report states will be addressed in a final report, which will address and/or adjust for these limitations. The final report is supposed to examine the impact "of the SIG models and associated practices on outcomes for low-performing schools."

While the report found no school reported adopting <u>all</u> practices required under the transformation or turnaround models, it did find: "More than 96 percent of the schools reporting adopted each of the three most commonly adopted individual practices: using data to inform and differentiate instruction, increasing technology access for teachers or using computer-assisted instruction, and providing ongoing professional development that involves teachers working collaboratively or is facilitated by school leaders." However, the findings indicated that "for 16 of the 32 practices examined, schools implementing a SIG model were statistically significantly more likely than schools not participating in one to report adopting that practice." As the report says, the responses were self-reported and the questions required a yes/no response for the most part; however, the brief "does not provide an independent assessment of the quantity, quality or details of adoption," which hopefully will be included in the final report.

But the greatest concern to TechMIS

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subscribers relates to the omission of certain survey questions. As stated in the report: "…We did not have the survey questions for two practices permissible under both the transformation and turnaround models: 1) conduct periodic reviews of the curriculum; 2) implement a schoolwide response-to-intervention model; …We did not have survey questions for two [other] practices permissible under both the transformation and turnaround models: 1) extend or restructuring the school day; 2) expand the school program to offer full-day kindergarten or pre-kindergarten."

As noted above, the vast majority of all schools "self-reported" using data to inform and differentiate instruction and increasing technology access for teachers or using computer-assisted instruction. Certainly, the first two components are critical of a response-to-intervention model and as the report notes, about half of the 32 practices implemented in a SIG model were statistically significantly more likely than schools not implementing such practices. In our previous surveys of response-to-intervention models, we have found that the expansion of RTI stems from the grassroots movement rather than a Federally-funded top-down approach; hence, it is not surprising that many SIG and non-SIG schools were using critical components of an RTI model. However, the final report should address specifically the characteristics of the RTI models and/or their components used in the SIG schools (i.e., how well it works with certain types of students and under what conditions?) and its overall impact on school performance. Hopefully it should "tease out" the effects of other enabling variables on SIG practices or permissible activities such as whether the practices/models are implemented with fidelity.

Regarding the omitted question about whether "periodic reviews of the curriculum" are conducted, it would appear that district administrators' concerns relating to curriculum alignment to Common Core Standards in all schools, including SIG schools, should be addressed. A question or two related to this practice would be very important.

As the report notes, "extended or restructured school day" was not included in the survey questions; however, it is one of the Administration's highest new priority for inclusion in not only SIG schools but other grant and other programs as we reported in our July TechMIS report on USED priorities for 2015. One has to ask the question why was this question was not included in the initial survey? It should be noted, however, that the questionnaire does include questions regarding schedules and strategies to increase learning time and the number of hours per year that school was in session.

In light of the Administration's priorities on the use of incentives, it is interesting to note that the survey found that the least commonly-adopted practices were using financial incentives and other strategies to recruit and retain effective teachers (about 15 percent).

The IES report on the use of more than SIG "required" practices and "permissible activities which are encouraged" is useful to many TechMIS subscribers in identifying whether or not SIG schools, as well as low-performing non-SIG schools, are using certain practices to any extent as self-reported (see page 7/Table 2 in the IES "brief"). However, as the report states that a

"future report will examine the impact of SIG-funded models on outcomes and "that report will also examine whether the type of SIG models, the practices within those models are related to improvement in outcomes for low-performing schools." The full report would be even more useful if it were to collect additional information on RTI approaches, how such models and/or their components are used, and whether they are being "implemented with fidelity," especially those RTI approaches and components which are technology-based. Fidelity of implementation, particularly related to technology-based interventions, has been a deficiency in the vast majority of USED evaluation reports (e.g., the 2003 and 2004 first report of the study of Technology Interventions conducted by Mathematica), which requires the use of survey instruments and time-consuming interviews rather than relying on yes/no self-reports from school "leaders."

One other reason for including this analysis of the IES brief and its descriptive findings is to point out the current limitations and important omissions so that TechMIS subscribers can respond to questions from district officials when discussing subscribers' solutions, which could be used in SIG or other low-performing schools. And, while district officials are awaiting the final report findings based on data collected on practices, one should also point out omissions, which are likely not to be in the final report unless new data are collected. If one has evidence of the impact of one's solutions, it is important to share such information to potential customers in order to make decisions now and not wait until the final report becomes available.

The IES report is available at: http://ies.ed.gov/ncee/pubs/20154001/pdf/20154001.pdf

## The "Future Ready Schools Initiative," Which Builds Upon Obama's ConnectED, Could Offer Specific Opportunities for TechMIS Subscribers

The "Future Ready" November 19th summit for district superintendents, who have taken the "Pledge" (see September TechMIS Washington Update) was attended by more than 100 superintendents, who are committed to implement the new planned "digital" $4 billion effort. The Secretary and President, announced the availability of new resources including a "learning guide and professional learning tool kit" to help pledge superintendents "improve connectivity, foster access to devices and digital content, and mentor other districts in the transition to distance learning," as reported by Education Week's *Digital Education* blog (November 19th). The initiative relies heavily on the E-Rate Modernization plan (about $2 billion over two years) approved by the FCC in July and a proposed recent increase in the E-Rate "funding gap" from $2.4 billion to $3.9 billion (has to be approved at December 11th FCC Commissioners' meeting), and the "committed" $2 billion in "donations" from ten firms under ConnectED for new digital products and services.

The President also announced an online learning platform, EdX, which provides free online advanced placement courses for high school students, and the availability of free online professional development provided by Coursera to districts over the next two years. As we reported in the July TechMIS,

at least ten major corporations have committed to donating approximately $2 billion in goods and in-kind services, which districts can access through an online hub to match with resources being provided by the companies.

During the conference, Alliance for Excellence in Education (AEE) President Bob Wise announced a number of activities including a series of regional summits to help more than 1,000 district superintendents who have taken the Pledge take advantage of public non-profit and private resources available to implement ConnectED. Designed to help superintendents develop and implement sustainable, forward-thinking plans for pairing education technology deployment and quality teaching, the AEE regional summits will be held in 2015 in about 12 metropolitan areas, which are likely to include Atlanta, Baltimore, Chicago, Dallas, Denver, Phoenix, Pittsburgh, Raleigh, Seattle, San Francisco, St. Louis, and Providence. Skilled facilitators, who are using digital learning effectively, will focus on a number of topics including:

- curriculum instruction and assessment
- professional learning
- technology networks and hardware
- budget and resources
- data and privacy
- use of time
- community partnerships

Approximately 30 and 40 teams of two to four key district-level staff will develop action plans building upon identified resources. Wise also announced that AEE is developing the Future Ready Schools Leadership Network which will provide

continuing support and tools for participating districts, which is sponsored by AT&T, McGraw-Hill Education, and more than 25 national organizations. The network will make available guides for developing concrete action plans, webinars, and other means for collaboration among exemplary districts and practitioners, and tools for tracking progress as districts implement plans.

For many TechMIS subscribers there exist possible opportunities for increasing relevant product and services sales; other opportunities could be created for products which add value to some of the existing free resources which are supposed to be provided. As noted in another TechMIS item, Apple Computer has indicated in its recent announcement that it would consider adding additional software publishers to the current list of 25 partner providers of tools and applications. Firms with products and services, which could supplement some of the "donated" or "free" resources should be communicated to AEE officials or USED Office of Technology Director Richard Culatta (http://tech.ed.gov/richard-culatta/), who has been a key player in the overall Future Ready District Pledge initiative.

Pledged superintendents are from large districts such as Miami, Philadelphia and Houston, and smaller districts such as Dripping Springs, Texas, and Sitka School District (Alaska). A list of superintendents which attended the November 19th summit in Washington, D.C. is available at: http://tech.ed.gov The names of superintendents attending the November 19th summit and subsequent districts sending teams to the regional conferences next year would also appear to be very helpful to firms in selecting which districts to target,

depending upon the nature of products and services they offer.

For more information about the Future Ready Pledge, go to: http://tech.ed.gov/futurereadypledge/

## The Education Commission of the States (ECS) New Report on "Blueprint for College Readiness" Identified States With College Remedial Programs/Strategies

The ECS report is designed to help states transition from high school into post secondary institutions by uniting two driving forces in policymaking: "1) to improve the college and career readiness in graduating high school students; and 2) to decrease remedial education and improve the rate of students who earn a degree or credential." It can assist subscribers identify target states and the types of product and services likely in demand.

ECS has conducted research on 50 states in a variety of areas, including statewide "remedial" and "placement" policies used primarily in postsecondary institutions as well as in high schools in some states. The ECS analysis identified 39 states with system-wide remedial education policies ranging from general guidelines to specific requirements. It found 29 states have system-wide common policies for placement into remedial and credit-bearing courses. Most states do not set minimal cut scores, while more than a dozen allow institutions to use multiple measures (e.g., placement scores, high school curriculum, or GPA) to determine the most appropriate course levels for entering freshmen.

Of the 29 states, those west of the Mississippi include Texas, Oklahoma, Colorado, North and South Dakota, Idaho, Montana, California, and Nevada. A larger number of states east of the Mississippi have such policies, including Louisiana, Arkansas, Kansas, Minnesota, Ohio, Tennessee, Kentucky, Mississippi, Alabama, Ohio, Indiana, Georgia, Florida, North Carolina, Virginia, Maryland, Massachusetts, Connecticut, and Delaware.

ECS also identified institutions to which a state or system of "remedial/placement" and cut scores policies applied. The institutional responsibilities vary by postsecondary governance structure's formal or informal agreements, are described in the report's appendices, which are part of the ECS database for the Blueprint. In the database, ECS identified California as one of 23 states that does not align high school graduation requirements with college admission course requirements; however, ECS argues that it is easier for educators to intervene with eleventh- and twelfth-grade students who are not on track to meet the requirements. Moreover, high schools and college educators are encouraged to work together to increase student success rates in college. In California, 47 of the state's 112 community colleges offer "accelerated courses" in math or English once instructors participate in a year-long professional development training offered by the California Acceleration Project. More than 10,000 students statewide are served. According to Ed Source, 85 percent of incoming community college freshmen need remedial courses in math, and about 75 percent need remedial courses in English, according to the legislative analyst's office. The ECS report recommends that California take into account other models of

collaboration between high school and college systems such as the Washington Student Achievement Control which aligns high school graduation requirements and statewide admission requirements.

While Maryland does not have statewide policies on the use of remedial education for incoming college students, it requires all districts to offer AP courses and has uniform admission policies to colleges which "create transparency between high school and colleges on what constitutes college-readiness and can boost enrollment among under-represented populations."

The ECS mentions Texas as a leader in developing a uniform statewide system to determine which students need remedial classes and a uniform testing service for course placement. It has taken a statewide approach to remedial education.

In 2013, the Florida legislature enacted Senate Bill 1720 to address course placement and remedial instruction reforms, allowing students to enroll directly in credit-bearing courses. Regarding placement test scores, students who opt to enroll in remedial courses can select from a set of instructional strategies.

In Indiana, IDY Tech Community College in its 23 campuses is a primary provider for remedial education. However, several factors can exempt students from taking Accuplacer, by offering different "math pathways" for students based on their program of study in order to prevent students' potential failure in the math portion; other math competencies might be better suited for their degree programs.

In Ohio, uniform statewide standards in math, reading, science, and writing have to be met before students are placed in a remediation-free status; however, the College-Readiness Advisory Council establishes minimum cut score thresholds which indicate students are still able to enroll in credit-bearing courses; and if students score below thresholds, other measures such as GPA can be used to determine course placement. State law places a limit on state subsidies to most four-year institutions for providing remedial services.

In a discussion with ECS's Amy Skinner, who maintains the Blueprint for College Readiness Database, she indicated that the Blueprint report described above discusses current policies and those most likely under consideration by states in the areas of remediation and placement. However, she indicated that interested parties could contact her as some of the subject matter experts might have knowledge about specific interventions on specific states. She did emphasize that the "intervention approaches," as we have reported in numerous TechMIS reports, are currently "continuing to change." Her email address is: askinner@ecs.org.

**USED Issues New Guidance to States for Developing Plans by June 2015 to Ensure Minority and Low-Income Students Have Equitable Access to "Quality" Teachers, Which Could Create Technology Support Opportunities**

According to Education Week's *Politics K-12* blog, the NCLB law in the area of "teacher equity" has been largely unenforced over the last 12 years. The

suggested strategies in the new USED guidance for states to "consider" in improving teacher/student equitable distribution provides some opportunities for technology-based solutions directly or to facilitate such practices, as noted below.

The November 10th Frequently Asked Questions (27 pages) identifies promising practices which "have been used" to provide "equitable access" to excellent teachers. They include some which have been addressed in previous TechMIS reports, as well as a number of additional promising strategies in which technology-based solutions can be used to facilitate equitable access implementation. One is to ensure teacher workplaces "are safe, supportive, and productive." As we have argued in TechMIS updates on Title I "comparability" improvements, technology can be used to provide online, on-demand support for younger, lower-paid teachers to improve their effectiveness while making the total "teachers expenditures" (i.e., salary and technology costs) for their services more "comparable" to higher-paid teachers (e.g., mostly salaries). Also, Title I is encouraged to be used to design programs to improve school climate which is a new USED priority. Technology can also be used as a means to improve working conditions in schools; research has shown it can not only attract higher-paid, effective teachers, but also help retain them. Another suggested strategy is "implementing multi-tier systems of support to deliver evidence-based academic and behavioral interventions of increasing intensity." Both Title I funds and the IDEA 15% set-asides and other Federal funds in schoolwide programs can be used for RTI for non-special education but "struggling" students. In many cases, RTI makes extensive use of technology. Another

suggested strategy is "fostering teams of excellent educators and providing them with time to collaborate" which can be facilitated in numerous ways through technology communication configurations. Another strategy is "providing classroom coaching for teachers in high-poverty or high-minority schools to promote the use of effective instructional strategies." Such effective instructional strategies often use technology-based solutions which can also be used to support classroom "coaching."

The new guidance also identifies other potential funding sources which can support professional development. Title II funds can also be used to improve working conditions for teachers and for meaningful professional development at the district level. The guidance also identifies ways Title III -- English Language Acquisition funds -- can be used, ranging from enhancing the ability of teachers to understand and use curriculum assessment measures and instructional strategies for English learners by demonstrating effective professional development using "scientifically-based approaches." IDEA Part B funds can be used for Coordinate Early Intervening Services and RTI approaches, professional development, and mentoring services based on scientifically-based literacy instruction, including the use of adaptive instructional software. A number of competitive grant programs such as Teacher Incentive Funds, Teacher Quality Partnerships, and Indian Education Professional Development Grants are also identified as potential funding sources.

A number of media articles have been skeptical about the quality of such required state equitable access "plans" and most critically, their implementation. As *Politics*

*K-12* noted, the June deadline is later than originally planned so that states requesting waiver approvals can get them approved without USED having received the June 1st deadline plans. The blog also notes, "This isn't the first time that the Feds have asked the states to outline their plans on teacher distribution, but the results so far haven't been anything to brag about. Fewer than half the states have separate teacher equity plans on file with the Department." The Washington Post reports that Dan Domenech, Executive Director of AASA, said the "move by the Obama Administration is well-intentioned, but will have little impact." Similarly, Mike Petrilli, President of the Thomas Fordham Institute, said, "There's very little the Federal government can do from Washington to fix these problems."

Specific education groups and policy influencers are rather pessimistic about states meeting the June requirements. However, the strategies suggested in the guidance do provide justifications for some TechMIS subscribers to argue their technology-based solutions are able to help districts facilitate implementation of some of these suggested strategies to promote equitable access to quality teachers.

To review the FAQ, go to: www.ed.gov

**The Center on Budget and Policy Priorities Most Recent Survey Found that Although Most States Are Providing More Funding in the New School Year Than They Did a Year Ago, "Funding Has Generally Not Increased Enough to Make Up for Cuts in Past Years"**

For example, in 30 states, per-pupil funding for this year is less than per-pupil expenditures before the great recession, and in 14 states per-student funding is ten percent lower than before the recession hit. The states in which per-pupil education spending has increased over 2008 are: North Dakota (32%), Alaska (16%), Connecticut (9%), Delaware (7%), Massachusetts (6%), Washington (6%), Rhode Island (6%), Maryland (5%), Wyoming (4%), Minnesota (4%), Missouri (4%), New York (2%), Oregon (2%), New Hampshire (2%), Pennsylvania (1%), and Nebraska (1%). States in which per-student expenditures are 15 percent or less than those inflation adjusted per-pupil expenditures in 2008 are: Oklahoma (-24%), Alabama (-18%), Arizona (-18%), Idaho (-16%), Wisconsin (-15%), Kansas (-15%), and North Carolina (-15%). As the report notes, about 46 percent of K-12 education funding is from the state. The report also found that "at least 20 states cut per-pupil funding this year; in most of these states, the cuts added to those the states have made in previous years leave them even further below pre-recession levels." The state funding numbers in the report only include "state formula aid" and not state funds for categorical programs.

The major reasons for funding deficiencies, according to the Center, are rising costs due to inflation, demographic changes, and increasing needs, as there are about 725,000

more K-12 students than there were in 2007-08. States have largely avoided raising new revenues and Federal aid to states has been cut, noting that since 2010, Federal spending for Title I is down ten percent after adjusting for inflation, and Federal spending on student with disabilities is down eight percent.

The October 16th report is available at: http://www.cbpp.org/files/10-16-14sfp.pdf

## What Might GOP Control of Both Congressional Chambers Mean for Early Education Policy?

A number of policy organizations and associations have commented on the impact midterm elections may have on the nature and scope of Pre-K expansion. Due to partisan gridlock the 113th Congress has been one of the least productive in recent history. With the midterms and the changes in composition with the House and Senate and many states shifting to Republican control, President Obama not only faces limited power in the lame duck session, but foreseeably for the remainder of his term. With the GOP coming to en masse to Washington, DC in January, what are the implications for early education policy?

Even before the dramatic shift in political control TechMIS has reported the power and influence of Senator Lamar Alexander (R-TN) and some of his former staff over education issues. Now, he is likely to become chair of the Senate Health, Education and Pensions (HELP) committee, replacing the venerable Tom Harkin (D-IA), who is retiring at the end of the year. Harkin introduced the Strong Start for America's Children Act, which calls for major federal

investment in the expansion of pre-K access for four-year-olds from low- to moderate-income families. Alexander does not support this Act and is skeptical about more federal involvement in pre-K. His version of an early education bill combines existing programs and gives states discretion in how to spend the money. He actively promotes the Child Care and Development Block Grant CCDB) program, which distributes federal money to states with few requirements or restrictions on how to spend the funds (the CCDB reauthorization occurred in November 2014).

Another loss of strong House influence for federal funding of Head Start and other pre-K education initiatives is Representative George Miller (D-CA) who retires at the end of this year after 40 years of service. Who can take over the advocacy of these staunch proponents of early care and education?

Lieberman and McCann of New America's Early Education Initiative in their November 5th EdCentral article posit that perhaps leading the charge in Congress would transfer to Patty Murray (D-WA), currently chair of the Senate Budget Committee, and a former preschool teacher; or Rep. Bobby Scott (D-VA), who is a long-time Title I supporter. Further, they predict that "funding is likely to be a huge barrier to expanding access and improving quality of early education in this Congress. Republicans are likely to utilize the budget reconciliation process to expedite some of their funding and revenue bills . . . most early childhood programs will fall under the oft-excruciatingly drawn-out process appropriation process."

The President's $75 billion Preschool for All is unlikely to be funded during this Congress, but continues to be one high priority initiative for the Administration which has funded some of its components in "flexible" grants such as Race to the Top and other priority programs (see July 2014 TechMIS Special Report). Although many Republicans support early education, they don't endorse the level of investment promoted by the President. Advocates will need to look to the states for additional emphasis and funding from governors, who endorsed early education as part of their campaigns (e.g., Rick Scott, FL and Tim Wolf, PA).

Other states, notably Hawaii, Pennsylvania, and Washington and some cities including San Francisco and Denver, hold promise for increased emphasis and funding options for supporting early education programs. Seattle's bond referendum has targeted its increase in property taxes $58 million over the next four years to expand pre-K access.

Lieberman and McCann end with this on-target summary, "But given its increasing public support, virtually all lawmakers at the local, state, and federal level will likely grapple with whether and how to expand high-quality early education programs over the next several years. The election results seem to be something of a mixed bag in terms of support for early learning programs, but only the next few years will show how things pans out."

(Update 11/24/14)
The mid-term shifts in state leadership create uncertainty in preschool expansion with the changes in the political party affiliation of recently-elected Governors (now 31 GOP) questions emerge about the

soon-to-be-announced (December 10) awards for the Preschool Development grants. In October 2014, 35 states had submitted applications for the Preschool Development grants and results of mid-term elections indicate that nine of these states will have new governors is January–who may not support the plans put forward by their predecessors. Within this context there continues to be uncertainty about the continuing progress of preschool expansion in the near future.

Sarah Mead aptly summarizes the likely Federal efforts over the next two years in her recent Bellwether Education blog when she asserts, "Obviously, the greatest impact is likely to be at the state and local level. Given that austerity is likely to prevail at the federal level for at least the next two years, and many states continue to face challenging fiscal situations, it won't be surprising if more local jurisdictions continue to take matters into their own hands when it comes to expanding access to pre-k."

## USED Announces Additional States Receiving Waiver Short-Term Approvals or One-Year Extensions: 7 States Likely to Receive Early Long-Term Approvals Are Under Quick Special Process

New Jersey has received a one-year waiver extension, according to USED. Examples of the state's work to "go beyond the requirements in ESEA Act" include:
- "Establishing a model curriculum divided into six to eight week learning units aligned with college- and career-ready standards, and supported by formative assessments and monitoring at the end of each

learning unit in Priority and Focus Schools;

- Implementation of 'Student Growth Objectives' to measure student growth in non-tested grades and subjects for all teachers to get in 2013-14."

As reported in *Fritzwire* (November 10th), Nebraska, which is one of the few states which had not requested nor received NCLB state waivers, will be submitting an application early this spring. According to the Lincoln Journal Star, "The state will definitely move forward with applying for the waiver." Nebraska has a long tradition in being one of the last states to adopt state discretionary participation in national initiatives, such as adopting America GOALS 2000 recommendations during the 1990s, as well as taking a "stand alone" position on other Federal efforts to ensure uniformity of implementation of Federal "encouragements."

Earlier in September, USED approved an extension for New Mexico under the condition that all the information required to be reported by districts is included in the schools' report cards, as noted by Education Week's *Politics K-12* blog, State Superintendent Skandera required to come into New Mexico worked in Florida under former Governor Jeb Bush's regime, and supports many of his positions which has kept her in an adversarial position with the New Mexico Teacher's Association.

In late November, USED announced that a number of states would be eligible to apply for a "quick process" to receive long-term waiver approval for up to four years. Even though some states, according to Education Week (November 25th), may not decide to

apply for the long-term approval, the states which could apply are Florida, Kentucky, New Mexico, New York, North Carolina, Tennessee, and Virginia. Georgia, Mississippi, and Nevada might also become eligible to apply for a special renewal process in January. It is not clear whether such states which receive three- or four-year waiver approvals will be able to maintain their approved initiatives if ESEA is reauthorized within the next year or so and which, if any, waiver initiatives will be allowed to continue.

In a recent development, Oklahoma, whose waiver had been withdrawn several months ago, has now been "restored." Washington State remains the only state which lost its waiver which has not reapplied for reinstatement. It should be noted that Senator Patty Murray, one of the most powerful Democratic education policymakers on reauthorization and education funding, could have a major influence on the future of the State Waiver initiative in the next Congress.

## Miscellaneous (a)

Apple Computer has modified its $100 million "donation" under the Administration's ConnectED Initiative to now include free iPads to 100 schools in 29 states with 95 percent or more students eligible for Title I; more partners could be sought. According to Education Week's *Marketplace K-12* blog (October 28th), "This company's plans for ConnectED shows signs of lessons learned from the LAUSD experience -- particularly in the support Apple says it will provide for teachers' professional development, as well as connectivity, and the use of content from

multiple sources." Partners providing education content include Achieve 3000 (which recently announced the completion of 50 lesson plans for use in Common Core implementation), Common Sense Education, DreamBox Learning, eSpark, Houghton-Mifflin Harcourt, Lexia, Pearson, Renaissance Learning, Scholastic, and Sphero. The article also notes, "In the fine print Apple indicated that the number of content providers, and the nature of their work, could change over time." Apple's donation includes iPads and MacBook Airs, an Apple TV device for each classroom, and "tailored curriculum solutions at no cost to the schools."

As a footnote, during the SETDA recent conference, ESRI, which is also one of the ten firms providing major "donations" (i.e., its widely-used mapping software), had an exhibit booth, which was well-attended by State Technology Directors. In a discussion with ESRI officials, its committed donation of $1 billion of free software is progressing well (see July 2014 TechMIS Special Report on ConnectED).

## Miscellaneous (b)

The Florida Department of Education is offering financial incentives to assist low-performing districts to work with charter school franchises "with a solid track record for serving low-income school children," and adopt effective practices, according to Education Week (October 15th). The article asserts, "The lure – for both sectors – is the promise of sharing resources and best practices." While a number of districts such as Los Angeles, Denver, and Baltimore have "sought to forge such ties," the Florida initiative is "one of the first where the state

department of education has taken a lead;" in many districts there exists an adversarial relationship with charters. The Florida initiative was designed to allow district personnel to take advantage of charter teacher and administrator professional development programs. The state plans to invest $10 million for the initiative over a four-year period and has received about $2.5 million from groups, including the Gates Foundation.

When Joseph Nathan, the "father" of the charter schools movement in the early 1980s spearheaded the initiative, one of his goals was to allow charter schools the freedom to innovate and to turnkey effective practices that work in charter schools into the school district adoptions. An effort similar to the Florida initiative happened in Houston over the last couple of years as a result of collaboration between Harvard and the Houston Independent School district, which based on previous research, has incorporated "intensive tutoring," the "use of data to inform instruction," and tools and techniques from successful charter schools into public schools. The project appears to have been successful in improving student performance. In referring to the leadership role of the State Department of Education senior policy analyst Sarah Yatsko of the Center on Reinventing Public Education at the University of Washington, which has become a major advocate/evaluation group in assessing the charter school movement, said, "I do consider the Florida piece to be potentially the next evolution in that way," referring to the leadership role of the State Department of Education.

## Miscellaneous (c)

A Rand Corporation study has found that in charter schools, which use personalized learning approaches, students' math and reading achievement had increased significantly more than similar schools using more traditional education techniques. The findings were released during the recent iNACOL symposia. According to Education Week's *Digital Education* blog (November 5th), researchers said that personalized learning did not conclusively cause the achievement increases, but that students in the 23 charter schools for two years using data to customize learning had measurable improvements in reading and math over several school years. Most of the charter schools received funding from the Gates Foundation.

Some of the consistent approaches in using personalized learning included:
- "teachers in the schools have access to the latest information about each students' strengths, needs, motivations, and progress;
- students follow customized learning paths by being held to high standards;
- students' progress toward clearly defined goals was continually assessed as students moved ahead in demonstrating mastery; and
- students' needs drove the design of flexible learning environment."
- As many studies of individualized instruction over the last three decades have found, the lowest-achieving students initially made the most gains, and while there were positive effects across grade levels, effects tended to be greater at the elementary level. Most of the schools were urban and used the measures of academic progress assessments. Barriers to implementing personalized learning included students' inadequate technology skills and slow Internet connections or inadequate bandwidth.

## Miscellaneous (d)

The new nationwide eleventh edition of Evergreen Education Group on Digital Learning Progress has found that despite seemingly universality of digital education in the nation's schools, student access varies enormously, as reported in Education Week's *Marketplace K-12* blog (November 4th). Differences in student access to technology, according to the report, can be attributed to government policy: "20 states, for instance, bar open enrollment at online schools, and many do not allow student choice of individual courses." Other findings reported in the blog include:
- 30 states with full online virtual schools enrolled about 15,000 students, an increase over 2012-13 academic year;
- state virtual schools in 20 states provide supplemental online courses for about 750,000 students; and
- online digital tools are used for elementary schools to improve subject-specific classroom content, while use in high schools is varied, often every course is customized to student needs.

The report also found that although more colleges have expressed increased interest in

"Massive Open Online Courses (MOOCs)," they have had only a minimal impact on K-12 online learning thus far. Digital online learning is more prevalent in districts with 25,000 or more enrollment than those with 2,500 students or less, which are hampered by lack of digital learning delivery capabilities and Internet bandwidth constraints.

## Miscellaneous (e)

USED has identified 26 Investing in Innovation ($i^3$) applicants which will receive grants totaling $130 million if applicants secure private matching funds by December 10th. As Alyson Klein, blogger for Education Week's *Politics K-12* blog notes, "And now that Republicans have control of both chambers of Congress, this could very well be the last year of the $i^3$ competition." Also, one of the applicants, North Carolina New Schools, will receive an expensive $20 million "scale-up" grant, as New Schools has a "proven record of success in training teachers, principals, and administrators," according to the blog. The North Carolina New Schools project will allow students from 18 rural schools in the state to earn up to 21 tuition-free credits of college-level classes online or through local community colleges, according to Education Week's *Rural Education* blog. In 2012, in five schools, dropout rates have decreased under the initiative. The article notes that students in rural schools are more likely to struggle with dual enrollment courses due to lack of transportation, funding, and qualified teachers, while providing courses online increases the possibility of participation in dual enrollments. The remaining priority applicants will receive $3 million for developmental grants or $12 million in validation grants.

As *Politics K-12* notes, during the last two years, no scale-up grants were awarded largely because the top scorer, Success for All, had gotten at least two $i^3$ grants worth more than $50 million combined, including a big scale-up award in the first year of the program. In the October TechMIS Washington Update, we also noted that in the new likely reauthorization of the Institute of Education Sciences which includes a "redefinition of scientifically-based research," Success for All Executive Director Dr. Robert Slavin called for the use of the tier-level definitions of "scientifically-based research" used in the $i^3$ grants to be used not only in future USED competitions, but also in Federal formula programs such as Title I.

In the most recent competition, WestEd won both the validation grant and the developmental grant. Some of the district applications that won developmental grants include:

- Hillsborough County Public Schools in Tampa, FL
- Boston Plan for Excellence in the Public Schools Foundation in Boston, MA
- Montgomery County Schools in Troy, NC
- Albemarle County Public Schools in Charlottesville, VA

The total list of the 26 high-priority potential grantees is available at USED website (www.ed.gov) November 8th.

## Miscellaneous (f)

The Smarter Balanced assessment consortium has projected the number of students, who will score at Level 3 or higher on its Common Core state assessment to be given in 22 states in the spring with other students needing remediation/support. The projected percentage of students at the 11th grade that meet proficiency in English/language arts will be 41 percent and 33 percent in math. 38 to 44 percent of elementary and middle school students are expected to meet proficiency in English/Language Arts with 32 to 39 percent achieving proficiency in math, as reported by Education Week. About 11 percent of students will achieve the highest level of proficiency (Level 4) on the eighth grade test, which will exempt them from remedial coursework at universities. According to Education Week, the PARCC consortium will wait until next summer after test results are in to determine cut scores and hence what percentage of students met the proficiency levels.

As some observers of the Common Core situation have noted, once the test scores are made available, the demand for remediation will increase significantly in most states. In other states where low percentage proficiency levels have not been reached, the state may design/select its own "cut score," as Texas has done in the past with its state tests; and other states may place a higher emphasis on formative assessments (and less on summative tests), which track student progress and increasingly will likely be used to provide feedback to inform instruction.

## Miscellaneous (g)

Education Week's *Politics K-12* blog (November 21st) reports that Secretary Duncan is urging National Assessment of Education Progress (NAEP) officials to "lead the way in thinking about the next generation of assessments, saying they have a unique role as 'truth tellers' as states seek better ways to gauge what students know." During the quarterly meeting of the NAEP Governing Board, the Secretary urged the NAEP policymakers to "drive states into a conversation about the need for better tests that held students to higher, shared expectations." He argued the Federally-funded PARCC and Smarter Balanced tests would be "absolutely better" than previous state tests, but stated, "…it's not too early for this group to start thinking about what assessments 3.0 will look like [which would] be better tests that take less time" and "do a better job of linking formative and summative feedback."

During the meeting, according to the article, Duncan touched on a few hot-button issues, one of which was raised by NAEP board member James Popham who questioned "the absurdity" of linking teacher evaluations to student test scores. Duncan reportedly responded that, "we've drawn a line in the sand" insisting that student test scores are factored into teacher evaluations "and we're not going to change that." Secretary Duncan concluded, "You guys have always been important, but never more than now," as he argued that NAEP's trend lines offer valuable consistency.

Some observers feel that version 2.0 (the two Common Core consortia assessments) and other assessments tied to Common Core will confront too many major obstacles (e.g.,

less funding for online computer assessments, inadequate field tests of formative components, and take too much testing time) that are insurmountable and result in greater state resistance. The NAEP tests provide 40 years of trending lines which could be a "plan 2" alternative to the current CCSS "summative assessments." They argue that the most beneficial Common Core assessments will be the interim and formative assessments which provide feedback for diagnostic and prescriptive purposes to personalize/individualize instruction.

Encouraging NAEP leadership support at this time could be a step toward the NAEP becoming "the" critical barometer of state by state comparisons.

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