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## MEMORANDUM

**DATE:** March 27, 2014  
**TO:** TechMIS Subscribers  
**FROM:** Charles Blaschke, Blair Curry, and Suzanne Thouvenelle  
**SUBJ:** FY 2015 Budget Proposal; Big District Title I Preliminary Allocations for Next Year; \$2 Billion Likely Available for Districts to Purchase Non-E-Rate Eligible Products; Guidance on School Climate; Dual Enrollment Growth; \$95 Million SIG Funding for States; and CCSSO Legislative Conference Highlights

The attached Special Report on the President's FY 2015 budget proposal has few new initiatives, but does reflect the Administration's priorities, some of which will have to be funded through existing programs or other sources (e.g., E-Rate and Department of Labor). Some priorities will likely be included in large-scale existing grant competitions such as TIF and Race to the Top.

One Special Funding Alert includes member districts of the Council of the Great City Schools (67 districts) which are receiving preliminary increases in Title I allocations, which start flowing in July for school year 2014-15. Some districts may receive additional Title I SEA 4% set-aside funding for school improvement in September-October. Most of the increases can be attributed to increased poverty counts in new Census data.

The other Special Funding Alert estimates that approximately \$2 billion of the \$5 billion of E-Rate funding, which is currently "on hold" at the FCC, will likely be provided to districts having meritorious appeals through the BEAR process which districts can use to purchase non-eligible products and services such as instructional materials and professional development. FCC officials are planning to expedite the processing of all such appeals, to reduce the current "log jam," over the next 12 months, which suggests a 12-16 month, one-time purchasing cycle for many firms.

The Washington Update includes:

- **Page 1**  
In January, USED/Department of Justice issued guidance on school safety and school climate improvement, reflecting the Administration's policy priorities on effective practices, which could be useful to TechMIS subscribers who might partner with districts submitting competitive grant proposals for funding from different sources over the next year or two.
- **Page 2**  
This update includes Highlights from the CCSSO annual legislative conference, especially comments by CCSSO President Terry Holliday, Kentucky Commissioner of Education, Secretary Duncan, and FCC Chairman Joe Wheeler on E-Rates.
- **Page 5**  
A new report from the Education Commission of the States summarizes state legislation, passed in 2013, which is designed to assist schools to identify and help students with mental health issues.
- **Page 6**  
Another ECS report addresses dual enrollment as a promising strategy for workforce investment and college completion which could provide opportunities for some TechMIS clients who focus on Career and Technical Education.
- **Page 6**  
Included in College Board President David Coleman's announcement that the SAT would be changed was another announcement that a new partnership with Khan Academy was being implemented to provide free student support to reduce the need for costly "traditional test prep" services.
- **Page 7**  
A number of miscellaneous items are also addressed including:
  - a) The annual Scholastic/Gates Foundation survey of teachers found that 73 percent of teachers believe implementing the Common Core Standards is or will be challenging, but at the same time, as implementation progresses, teachers increasingly see the positive impact on students.
  - b) The recent issue of State Line analyzed some of the state pre-K initiatives, and cautioned that the "catch is how to pay for it."
  - c) A Harris Poll of a representative sample of more than 1,000 teachers found they assigned an average of 3.5 hours a day of homework to high school students.
  - d) A bill to revise the Childcare and Development Block Grant program was taken up by the whole U.S. Senate and passed.

- e) A March Education Insider survey by Whiteboard Advisors reports that 73 percent of “insiders” believe education companies are currently in violation of education privacy laws (i.e., FERPA, COPPA and related laws).
- f) The American Federation of Teachers’ President Randi Weingarten said that the AFT will no longer accept \$1 million a year in grants from the Gates Foundation for its Innovation Fund which has been used to help teachers implement the Common Core Standards since 2009.
- g) Education Week’s On Special Education blog (March 7<sup>th</sup>) provided data indicating that the per-child allocation by IDEA preschool programs has been declining over the last few years.
- h) USED announces \$95 million in SIG grants to ten states and releases a report on how community engagement and school turnaround activities have been used effectively.

Also included in this TechMIS issue are state profile updates which address: issues relating to the Common Core State Standards and evaluations, state funding, charter schools, K-12 data systems, and dual credit programs.

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P.S. For those TechMIS subscribers who have not returned your subscription renewals for the May 1, 2014 to April 30, 2015 subscription year, we ask that you do so soon. Please contact Charles if you have any subscription-related questions (703-362-4689).

**Special Report:**  
**FY 2015 Budget Proposal Has Few New Initiatives But Does Reflect  
Priorities, Some of Which Will Be Funded Through Existing Programs**

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

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*March 27, 2014*

The President's proposed FY 2015 Education Budget includes many excerpts from previously submitted budgets, some of which were not even updated. It also includes a number of new/modified proposed initiatives with some new funding; but many veteran budget watchers believe that even the Administration feels most are Dead on Arrival. However, some new opportunities may exist as a result of the Secretary's discretionary authority and non-regulatory guidance as the Administration will use existing program funding, where possible, to fund its high priorities.

Many observers feel that the proposed FY 2015 education budget is likely to gain only limited traction, if at all, with this Congress. The Administration continues to propose its priorities hoping to find funding in existing programs to pay for them, especially through the use of the Secretary's discretionary authority in some formula and through increased flexibility in the use competitive grants over which the Secretary has some discretion. Some of the proposed initiatives are repeated without language changes from the 2011 Blueprint Budget for ESEA reauthorization; and some programs, such as School Improvement Grants, do not even include reference to amendments included in the FY 2014 budget regarding the allowable use of SEA "homegrown" and Whole School Reform Interventions, in addition to the four prescribed SIG interventions.

Moreover, some of the proposed funding levels, especially for Administration priorities, are based on an assumption that the \$56 billion "opportunity, growth, and security initiative supplemental" -- which would be equally split between defense and domestic funding increases - - will be passed by Congress which is very, very doubtful? However, as the Administration has stated, more details and guidance are likely to be forthcoming, which we believe will help identify the nature and extent of opportunities for TechMIS subscribers. In the meantime, we have outlined below some of the high points in five of the Administration's six priorities in the FY 2015 budget -- some of which have been restated reflecting recent changes -- and pointed to

other possible new changes and opportunities (we do not address the higher education initiatives).

### **Increasing Equity and Opportunity for All Students**

In his State of the Union address, one of the President's highest priorities was *increasing equity and opportunity for all students* which would be addressed through a combination of new and existing programs. The proposed \$300 million Race to the Top-Opportunity competition would create incentives for states and districts to change the way they “identify opportunities and close achievement gaps including developing and attracting effective teachers/leaders in high-poverty schools, and fund effective evidence-based practices such as enhancing school climate and culture.” The initiative could also rely on a large number of existing programs, including Title I, IDEA, Title III English Language Acquisition, and a reauthorized 21<sup>st</sup> Century Community Learning Center program, which would emphasize expanded learning time by significantly increasing numbers of hours in the regular school schedule and by comprehensively redesigning school schedules. RTTT's current \$505.8 million would continue to support School Turnaround Grants by changing school climate and culture and improving outcomes through leadership and more effective teachers, better use of instructional time, and more rigorous curricula. An estimated 170 new schools would be targeted next year. Increased funding of \$43 million is requested for Promise Neighborhoods to implement effective cradle-to-career services reforms and an additional \$35 million is proposed to implement state longitudinal data systems to focus on academic achievement that can be “used to analyze links between the distribution of education resources and student outcomes...” (i.e., equitable access for poor minority students to effective teachers).

### **Strengthening Support for Teachers and School Leaders**

Under activities to *strengthen support for teachers and leaders*, the budget proposes to seek “new funding to build educators' capacity to use technology to deliver instruction” aligned to new CCR (college and career readiness) standards. Two hundred million dollars in new funds is proposed to train teachers/leaders, including creating and using open digital learning resources, using mobile and digital tools to personalize learning, implementing new assessments analyzing real-time data to improve student outcomes, and promoting remote access for the use of master teachers in hard-to-staff schools.

Under the new Excellent Instructional Teams program (formally Title II), funds are to be used to help states and LEAs improve teacher and principal evaluation system and ensure low-income minority students have equitable access to effective teachers and principals with a 10% set-aside for national programs; \$35 million would be used to expand the School Leadership Program which supports use of evidence-based professional development in the area of analyzing student data, creating positive school climate, and supporting instruction aligned to CCR standards.

### **Expanding High-Quality Preschool Programs**

The budget would double the \$250 million in FY 2014 for Preschool Development Grants to \$500 billion. Once again, the budget requests \$75 billion in ten-year mandatory funding for Preschool For All. Existing related preschool programs would be funded at current levels or

with small increases.

Observers have suggested that some of the proposed increases under this initiative might have a chance of being funded by Congress. With the release of the FY 2015 budget, Education Week's Politics K-12 blog (February 28<sup>th</sup>) gave a number of reasons why early childhood education could be a winner in this year's budget in spite of concerns among certain quarters that the budget as a whole will be dead on arrival. One reason was explained by Erik Fatemi, former top aide to Chairman Tom Harkin of the HELP Committee which sponsored the Start Small proposed legislation. Fatemi's analysis noted that "...when it comes to preschool, there are already big proposals in the works and states and key cities, such as New York, so the 'federal government is playing catch-up, in a sense' with what's already happening across the country."

In doubling Preschool Development Grants to \$500 million (formerly the Race to the Top Challenge grants funded at \$250 million), an extra \$250 million would also be provided. To help some states to build up infrastructure and expand funding for the Early Head Start Child-Core Partnerships established in 2014, funding would be increased by \$150 million. The home visiting component in the pre-K initiative would be reauthorized for ten more years with mandatory funding. Head Start would receive an increase of \$120 million next year; however, as the New America Foundation's *Ed Central* blog (March 5) stated, "...those programs are unlikely to see much more action on Capitol Hill, particularly given a report that House Budget Committee Chair Paul Ryan (R-OH) released yesterday excoriating the Head Start and other social programs..."

### **Promoting Educational Innovation and Improvement**

Under the priority of *promoting innovation and improvement*, the FY 2015 budget continues to call for more funding for High School Redesign and STEM education initiatives, as well as other initiatives in Career and Technical Education (CTE) which would promote joint efforts with industry and community groups. About \$150 million would be provided for a new High School Redesign program which would emphasize, among other areas, personalized learning, the use of technology, and the use of learning time in "more meaningful ways." And \$170 million in new funding are proposed for a comprehensive STEM program. Funds would be used for creation of STEM Innovation Networks, STEM teacher pathways, and a national STEM Master Teacher Corps. Funding for i<sup>3</sup> would increase by more than \$20 million and about \$50 million would be provided for the creation of the ARPA-ED initiative to pursue technological breakthroughs in teaching and learning.

### **Improving School Safety and Climate**

The budget request will continue a number of school safety and climate programs including:

- \$50 million for Transformation Grants to create positive school climates that would help reduce problem behaviors, decrease bullying, and increase academic progress in math and reading;
- \$45 million in new grant awards to increase SEA and district capacity to create safe, healthy environments in high-poverty schools through mental health and other services, such as counseling and social services for troubled youth.

- \$25 million for Project Prevent grants to break the cycle of violence where it is pervasive in low-income schools.

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Many of the FY 2015 budget proposals for specific programs were made in 2010 in the form of a proposed ESEA reauthorization. Some of the “older” proposals have had a few changes made in the FY 2015 budget proposal. Moreover, some of the newer initiatives that have been proposed over the last year have had some additional changes. Some of these changes, with implications for TechMIS subscribers, are noted below.

As described in our August 28, 2013 TechMIS Special Report, ConnectEducators is a new proposal complementing the previous ConnectEd initiative which was originally tied to E-Rate modernization. The new program would provide competitive funds to LEAs and consortia of LEAs to personalize learning and provide better CCR (College- and Career-Ready)-aligned instruction based on needs assessments; activities could include coaching, selecting digital content, improving communication operation among educators and parents, and accessing experts through blended online learning, especially in hard-to-staff schools and subjects. While eligible LEAs would have to have a minimum level of technology infrastructure, grantees have to work with consortia of LEAs and partner with local and national groups. During the budget press conference, Secretary Duncan was hit with questions about an uneven playing field and widening the “digital divide.”

Under School Turnaround Grants (currently School Improvement Grants) the Obama proposed budget documents say LEAs would have “new flexibility on the specific meaningful intervention models which are to be used in the lowest-performing schools.” No mention is made of the changes allowing SEA “homegrown” models or “whole school reform models” included in the FY 2015 Appropriations Act (see February TechMIS Special Report). The grants would be for five years, rather than the three years under current law.

The 21<sup>st</sup> Century Community Learning Centers program, which would be level-funded at almost \$1.15 billion, funds could use funds to support expanded learning time (ELT) as noted above, as well as full-service community schools; projects could provide teachers with the time they need to collaborate, plan, and engage in professional development within and across grades and subjects, an activity which has not been emphasized in the past.

While the Fund for the Improvement of Education would be reduced from \$42.4 million last year to \$24.3 million in the request, \$2 million would be devoted to competitive grants for districts and researcher partnerships to test interventions to improve students’ non-cognitive skills in middle grades to reduce the likelihood of students dropping out of high school.

For the IDEA grants to state program, the request would increase the \$11.5 billion last year by an additional \$100 million, which would support new Results Driven Accountability Incentive competitive grants to states to implement evidence-based reforms, to improve service delivery,

and to develop state and local capacity.

The Adult Basic and Literacy Education State Grants Program would be level-funded in \$564 million. However, the budget would increase by \$3 million the National Leadership Activities Program and provide \$20 million for a new Skills Challenge Grant proposal to support SEA adult education providers, higher education institutions, and private organizations to form partnerships that demonstrate innovative models for transforming adult education. These initiatives would provide high-quality programs to equip low-level adult performers with the skills necessary to find jobs in high-demand fields or to transition into credit-bearing post-secondary education programs.

The Institute of Education Sciences would receive \$60 million more than the FY 2014 appropriation level or approximately \$637 million. About \$10 million of the increase would be for new grant competitions to support the development and testing of practical approaches to improving education outcomes. It would also include a new R&D Center on Online Learning Strategies and the development of training programs on the use of “big data” for education research.

In closing, Clair McCann of New American Foundation’s *Ed Central* blog reported, the FY 2015 budget request “largely reiterates past proposals.” The “Opportunity, Growth, and Security initiative, which is a \$56 billion allocation equally spent between defense and domestic funding increases (she refers to as “monopoly money”) will likely never materialize and is probably used being proposed to “mollify” special interest groups. Other observers during a question-and-answer session after the budget’s release on March 4<sup>th</sup> also noted that the 2015 budget was largely a remake and warmed-up version of previous proposals, with a few exceptions noted above. In its report entitled “Key Questions: Education Policy and the President’s 2015 Budget,” the *Ed Central* blog also noted that, when there are new smaller initiatives or redirected proposals “many of the details of these programs remain unclear.”

While the President’s FY 2015 Education budget is confusing at times, its numbers are often misleading, some priority areas point to opportunities which are likely to arise which we plan to identify and report to clients.

## **Special Funding Alert: Big Districts Receiving Preliminary Title I Allocation Increases**

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

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*March 27, 2014*

During the March 22-25 Council of the Great City Schools Legislative and Policy Conference, the Council released its estimates of Title I allocations for member districts for SY 2014-15. Unlike last year's CGCS release of preliminary estimates -- which could not have taken into account the specific "sequestered" amounts -- Council staff said this year's estimates are closer to what USED is expected to release in the next month or so. However, as the Council report emphasizes, some of the districts' losses in Title I funds may eventually be less than the final USED estimates because of "hold harmless" provisions (e.g., districts with 30 percent or more poverty cannot be cut by more than five percent). Moreover, the estimates attached do not take into account any state set-asides, such as the 4% set-aside for school improvement. Because of the sequestration last year (see March 21, 2013 TechMIS Special Report), the 4% SEA set-aside did not have great impact in a number of states again because of "hold harmless" clauses. The impact of the 4% and other SEA set-asides is more predictable this year than last year. As a result, large urban districts with lowest-performing Priority and Focus schools, many of which are supposed to receive the 4% set-asides, could receive additional funding in September-October 2014.

With these cautions and caveats, the preliminary estimates for Council-member districts receiving a 1% or more increase are presented in the attached.

**Council of Great City Schools**  
**Estimated Title I Allocations-FY2014**  
**Districts with Projected Increases of at Least 1%**

<b>CGCS District</b>	<b>Title I FY2013</b>	<b>Title I FY2014</b>	<b>Percent Increase</b>
Austin, TX	\$28,649,233	\$33,337,266	16.4%
Broward County, FL	\$58,779,897	\$66,777,807	13.6%
Charleston County, SC	\$13,637,049	\$17,006,172	24.7%
Charlotte, NC	\$38,994,085	\$41,944,355	7.6%
Clark County, NV	\$81,535,237	\$90,526,566	11.0%
Duval County, FL	\$34,397,818	\$39,998,655	16.3%
East Baton Rouge Parish, LA	\$24,200,101	\$26,342,733	8.9%
Fresno, CA	\$43,423,489	\$46,079,342	6.1%
Hillsborough County, FL	\$49,560,998	\$62,450,945	26.0%
Jefferson County, KY	\$35,647,672	\$41,971,863	17.7%
Los Angeles, CA	\$315,289,383	\$337,759,704	7.1%
Miami, FL	\$122,152,345	\$137,542,727	12.6%
Nashville, TN	\$28,958,077	\$31,346,530	8.2%
Newark, NJ	\$31,257,531	\$34,200,376	9.4%
Omaha, NE	\$22,826,479	\$26,487,786	16.0%
Orange County, FL	\$50,006,453	\$60,662,475	21.3%
Palm Beach County, FL	\$45,864,432	\$47,365,537	3.3%
San Diego, CA	\$36,842,119	\$40,812,099	10.8%
San Francisco, CA	\$12,237,226	\$14,088,387	15.1%
Santa Ana, CA	\$15,874,853	\$18,609,278	17.2%
Shelby County, TN	\$60,995,797	\$62,046,253	1.7%
Wichita, KS	\$19,324,302	\$23,941,906	23.9%

As noted above, while Council staff said the above estimates should be extremely close to USED's preliminary (expected in May) and/or final allocations (usually in August), there are still a number of adjustments which SEAs can make before individual districts' allocations are made (e.g., the number of students in a district attendance area attending charter schools where such funds follow the child to the charter school). Last year, Des Moines got more than a \$2 million increase. I asked the Des Moines official attending the meeting this year whether the district did

indeed receive close to that amount after all SEA adjustments were made. The official volunteered that the SEA's adjustments to the district's large increase this year have yet to be completed and that the district still has to justify certain data in order to receive all of the increase.

The Council's report also emphasizes that Title I funding increases/decreases are heavily dependent on the results of the most recent U.S. Census. Significant changes that occur in poverty counts at the district level (compared to the change in the poverty level of the entire nation) play a large role in determining whether an individual district receives increased funding. In light of the fact that the FY 2014 budget restores \$624 million to Title I compared to FY 2013 (this is, however, only 83 percent of the sequestration restoration), a high-level official from one of the largest member districts made the statement that the only way to increase a district's Title I allocation these days is to ensure that the annual U.S. Census survey includes as many respondents from low-income poverty families as possible. This suggests that firms with capabilities to facilitate more comprehensive surveys ensuring that all eligible poverty families are included and children are counted in the U.S. Census survey might be an important product/service of interest to many of these districts.

Based on the numbers estimated by the Council, it appears that many districts in Florida, Texas, California and some other southern or southwest border states will benefit most.

**Special E-Rate Funding Alert:  
About \$2 Billion Likely Available for Districts  
to Purchase Non-E-Rate Eligible Products**

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*March 27, 2014*

During the Chief State School Officers Conference and SIIA Government Forum, I had a chance to listen to and more importantly conduct interviews with FCC Chairman Joe Wheeler, FCC Commissioner Jessica Rosenworcel, and FCC Director, Digital Learning Michael Steffen in an attempt to find out how much of the estimated \$5 billion balance on “hold” was in the form of “log jams” appeals which are likely to be found to be meritorious. All three of the above plus an additional FCC presenter at another session said they did not know exactly how much of the \$5 billion was being withheld pending decisions on appeals built up over the last several years. My conclusion is that if districts request E-Rate refunds using the BEAR process, the districts should be receiving about \$2 billion of refunds over the next 12 months which can be used to purchase products such as instructional materials, software, evaluation tools, and professional development. As noted in our February TechMIS report, Dallas got a refund for \$85 million based on several appeals going back to as far as 2005.

All three of the above individuals claimed they were hoping to free up the \$2 billion to be allocated to Priority I services through efficiencies in two other areas:

- moving E-Rate applications that were submitted as consortia to the front of the “processing” line in the review process, as many of the consortia are now being reviewed last because of their complexity (i.e., about 13% of applicants last year were from consortia);
- discontinuing E-Rate funding of legacy services such as 800 toll-free, web hosting, paging devices, etc. which Wheeler estimated during the last funding year paid for approximately \$600 million of the \$2.4 billion allocation.

In a side discussion, I asked Commissioner Rosenworcel whether the FCC would take steps to ensure that the use of consortia by small and rural districts to get better prices would also include the opportunity for smaller firms with limited E-Rate products to submit bids as a consortia service provider. She assured me that FCC is aware of the issue which could preclude their

bidding and would ensure that such opportunities would be open.

In various sessions at the conference, most education E-Rate advocates called for increasing the funding cap and were opposed to cutting the “legacy” services which FCC Chairman Wheeler said would likely be on the chopping block. The Task Force which has been created to identify “areas of efficiency” would address the issue. I asked FCC Commissioner Rosenworcel why the appeals “log jam” process and the use of funds for distributing E-Rate refunds through the BEAR process was politically sensitive. From her discussion, I inferred that Congress is very concerned that E-Rate funds are only used for E-Rate eligible products and services provided mostly by telecommunication carriers. This was a concern of Senator John McCain during my discussion with him in 2014, when President Bush proposed to allow E-Rate to pay for professional development and Reading First materials, which Senator McCain killed. However, the Commissioner did acknowledge that during the early years of the E-Rate, the BEAR process was instrumental in providing some needed products and services to implement district technology initiatives including instructional materials, software, and particularly professional development which were about \$1.0-\$1.9 billion per year in addition to the \$2.4 billion E-Rate funds.

In a side discussion at the SIIA meeting, Michael Steffen refused to provide an estimate of the amount of the \$5 billion that were on hold because of appeals. On the other hand, he did confirm that over the next 12 months, virtually all of the meritorious appeals that are pending would be processed.

The bottom line is that the quarterly reports which we provide subscribers (see February TechMIS Washington Update) on funding commitments for districts will increase rather dramatically over the next few months. About 40-50 percent of those “old” commitments are likely to be for appeals that the FCC found meritorious and for the most part districts will use the BEAR process to request checks which can be used by districts to purchase any products and services.

For subscribers who want to follow up with specific districts, we strongly suggest that sales/marketing staff contact existing individual customers in the districts which may want to purchase their products and have those individuals contact the E-Rate coordinator to determine whether any of the refunds which a district receives can be used to purchase their firm’s products. Contacting the district E-Rate coordinator directly is strongly not suggested.

# **Washington Update**

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**Vol. 19, No. 3, March 27, 2014**

## **USED/Department of Justice Issue Guidance on School Safety/School Climate Reflecting Policy Priority on Effective Practices**

The goal of the non-regulatory guidance released in January by USED and USDOJ is to “highlight ways in which states and school districts can promote academic excellence by creating safe and productive learning environments for all students at all schools.” The guidance could also help groups responding to USED grant competitions.

The first of three guiding principles, which appears to be most relevant to many TechMIS subscribers, is Principle 1 “Climate and Prevention: Schools that foster positive school climates and help to engage all students in learning by preventing problem behaviors and intervening effectively to support struggling and at-risk students.” A needs assessment is needed to identify climate goals that complement schools’ academic goals and to identify approaches. One example given is “the use of evidence-based strategies such as tiered supports can help schools to better manage student behavior by providing different levels of assistance and interventions based on students’ different needs.” In addition, strategies such as social and emotional learning programs that address non-cognitive skills, including problem-solving, responsibility and resiliency, can also help students develop the skills needed to fully engage and thrive in the learning environment. The guidance also states that

“to effectively implement a schoolwide behavior program and create a safe and positive school environment, schools should provide professional development and training opportunities for all staff, including principals, teachers, school support staff, and, if present on campus, school-based law enforcement officers. This training should include clear guidance on how to engage students, promote positive behavior, and respond appropriately -- and consistently with any staff member’s role -- if students misbehave.”

In prioritizing the use of evidence-based prevention strategies such as tiered supports to promote positive student behavior, the Guide distinguishes between universal and targeted and intensive supports and provides, as an example, Positive Behavioral Intervention Supports (PBIS). As it notes, “The PBIS framework has been shown to be effective in reducing the need for disciplinary actions and improving academic, social, and emotional, and behavioral outcomes for students.” The Guide also notes that an emerging body of research shows that social and emotional competencies can help students concentrate on learning through the exercise of self-control and by developing non-cognitive competencies of self-awareness, self-management, resilience, social agility, and responsible decision-making. The Guide emphasizes that regular training and supports should be provided to all school personnel on how to engage students and support positive behavior. Previous reports and surveys indicate that such regular

training and support in schoolwide programs is critical and, as noted in previous TechMIS reports, Title I schoolwide programs can now use Title I, and other “co-mingled” Federal funds, to implement school climate improvement interventions, as long as they are identified in a needs assessment and included in a Title I schoolwide plan, particularly in Priority and Focus Schools.

A third guiding principle calls for using “proactive, data-driven, and continuous efforts, including gathering feedback from families, students, teachers, and school personnel to prevent, identify, reduce, and eliminate discriminatory discipline and unintended consequences.”

The guidance also includes a link to the Technical Assistance Center on Positive Behavioral Interventions and Supports established by USED: <http://www.pbis.org>.

The January 8<sup>th</sup> guidance (which can be found at <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>), also includes a compendium of school laws and regulations for each state and a school discipline guidance package of Frequently Asked Questions. In a section related to financial assistance provided by USED to improve school climate, the FAQ states, “Because safe and supportive learning environments are a key element of a school reform, the Department has also taken strong steps to encourage, and in some cases require, that recipients of our signature reform efforts -- including Race to the Top and the School Improvement Grant (SIG) -- engage in activities to improve school climate and discipline practice.” The FAQ also notes that schools implementing a turnaround model under the School Improvement Grant

program are required to provide students with social, emotional, and behavioral supports under state waivers. It notes that while waiver states do not receive additional funding, such states can allow districts with Priority schools to use such supports. Furthermore, in states such as SIG schools are “to establish a school environment that improves school safety and discipline, and address other non-academic factors that affect student achievement, such as students’ social, emotional, and health needs.”

### **Highlights of CCSSO Annual Legislative Conference**

On March 16-18, the Chief State School Officers (CCSSO) held their annual legislative conference which was attended by most State Superintendents, their deputies or other high-level staff, along with more than 50 representatives of “partner organizations” including some TechMIS subscribers. Unlike last year’s conference (which we reported on in our April 2013 TechMIS Special Report), the major speakers at this conference, including Secretary Arne Duncan and FCC Commissioners Wheeler and Rosenworcel, were “light on details.” Last year, Assistant Secretary Deb Delisle and the staff responsible for major USED programs provided very specific details on new initiatives and guidance which could be expected -- some of which has since been altered. However, a number of policy-related issues and funding initiatives which have implications for some TechMIS subscribers were addressed at this year’s conference are highlighted below.

During the opening State of the State Education address, CCSSO Board President

and Commissioner Terry Holliday of Kentucky announced that CCSSO would be embarking on a new initiative to create a task force which will focus on development of a comprehensive set of policies and priorities related to Career and Technical Education. In a side discussion with Commissioner Holliday, I mentioned the recent Center on Education Policy survey findings that only six states have aligned their state Career and Technical Education standards and assessments with Common Core Standards and assessments, which he acknowledged point to the need for the task force. When I mentioned to the Commissioner that NCSL and other surveys have reported that Career and Technical Education, workforce preparation, and job readiness were among the top issues addressed in state bills or proposals enacted at the state level in 2013, he said that the task force membership would include state legislators and members from other associations and think tanks, as well as industry groups. When I pointed out to the Commissioner that Secretary Duncan, in his policy speech earlier, did not mention the new CCSSO initiative or Career and Technical Education, generally, he noted that the Secretary did allude to the new High School Redesign initiatives in the proposed 2015 budget and “islands of excellence” in New York City and other high schools in the area of high tech. As we suggested in our October 2013 TechMIS issue on the CEP survey, there appear to be some opportunities for TechMIS subscribers in the Career and Technical Education arena, especially at the state level as states attempt to modify standards and programs to align clearly with national College and Career Readiness priorities and Common Core Standards.

During the opening dinner speech on Sunday night, Ezra Klein, columnist for Bloomberg News, attempted to explain the Washington political scene and why “nothing appears to be happening.” During a question-and-answer period, he was asked about the President’s new approach of using the “pen and phone” and executive discretionary authority to implement policy priorities for which Congress refuses to either pass legislation or approve funding support. Klein responded that the use of such executive powers will not have much of an effect.

In a side discussion, he was reminded that the Secretary of Education is the only cabinet official that has “discretionary waiver authority,” provided by Congress in 1994, to implement waivers. Unlike Secretary Riley, who in the eight years after 1994 used the Secretary’s waiver authority fewer than ten times, Secretary Duncan has used the waiver authority more than 500 times, including the NCLB flexibility state waiver initiative. In addition, the Secretary was given almost total discretion in the use of \$4 billion (e.g., Race to the Top) under the passage of the ARRA stimulus Act in 2009, with indirect authority over an additional \$90+ billion. Klein commented that he was aware of the authority, but not familiar with details. Almost all of the veteran chiefs and most of the more recently elected/appointed chiefs disagreed strongly with Klein’s comment, noting that the Secretary has used his discretionary authority for good or ill extensively and has had a major impact in the education space over the last three or four years. Most of those with whom I talked also agreed that the Administration will continue to use the power of the “pen and phone,” along with executive discretionary authority, to bypass

Congress as much as possible for the next two or three years.

After a closed meeting with chiefs on the second day of the conference, Secretary Duncan in a preliminary session open to the public, reiterated some of the of the Administration's priorities, first mentioning the pre-K early childhood initiative, followed by an apparent higher priority being placed on providing "equitable access" for minority and low-achieving students to effective teachers. Here he emphasized that the proposed FY 2015 budget included between \$200 million - \$300 million for improving the quality of technology-related professional development using Title II funds. He emphasized that Title II funds should be spent "differently" and more "effectively"; and, rather than "top down" approaches to identify professional development needs, chiefs should support a "bottom up" approach where teachers are more intimately involved in the design and implementation of such teacher-oriented professional development. During the 2013 CCSSO conference, USED officials responsible for Title II indicated the types of professional development and technology which Title II funds could be used to pay for were very limited, which evoked a negative response from the chiefs. While USED has called for ensuring all professional development funded under Title II is evidence-based, the Secretary did not mention that specific requirement for using Title II funds.

FCC Chairman Tom Wheeler reiterated numerous points about the new E-Rate modernization initiative that were included in FCC previous notices or comments made by him (see February 28 TechMIS Special Report). Some of the points he reiterated

and emphasized are highlighted below:

- The new modernization initiative is a "big deal," but the details of the initiative "remain in flux";
- Only about half of the E-Rate funds have gone for broadband connectivity and none for Wi-Fi;
- One way to increase efficiencies is to free-up approximately \$600 million which was spent last year to pay for "legacy" mobile phones, email, texting, web posting, and 1-800 number services;
- Another way to increase efficiencies was to encourage more districts to apply for E-Rate discounts through consortia and to put the consortia applications "in front of the line for processing applications" which currently are in the back of the line; this is one reason why there is a "log jam" of approximately \$5 billion of FCC funds which have been put "on hold";
- To identify specific efficiencies and ways to free-up \$2 billion of existing FCC E-Rate funding "on hold," the FCC would be creating a "special strike force" to look at the entire Universal Service Fund, which includes the E-Rate, which will institute a process for accelerating the speed for which all applications are processed, including consortia.

While Commissioner Wheeler in previous speeches identified district appeals at both the FCC and USAC levels was one of the processing "log jams tying up E-Rate funds" as part of the \$5 billion "on hold," neither he or Commissioner Rosenworcel, in their speech, addressed E-Rate appeals and the extent and nature of funding being withheld

to reimburse districts whose appeals have found to be meritorious from receiving their funds. During side discussions with both the Chairman and Commissioner Rosenworcel, I posed these and related questions which are highlighted in the above Special E-Rate Funding Alert.

### **New Education Commission of the States Report Summarizes State Legislation in 2013 Assisting Schools Identifying and Helping Students With Mental Health Issues**

The Education Commission of the States' scan of enacted legislation from 2013 legislative sessions in 13 states identifies 17 bills that illustrate the diversity of mental health laws passed in the 2013 sessions. ECS provides a similar legislative scan of changes which state legislatures have made in school safety policies as of 2013. Of possible interest to many TechMIS subscribers are the types of legislation that were enacted in a number of states last year including the following:

- Legislation which creates new requirements in mental health training for teachers, administrators, and other school staff were enacted in Connecticut, Maine, North Dakota, Texas, and Washington. For example, Texas now: (1) requires instruction in the detection of students with mental or emotional disorders as part of training required to obtain a bachelors degree; (2) requires school districts to provide training related to mental health interventions and suicide prevention for teachers, counselors, principals, and all other personnel; and (3) sets a number of new continuing education

requirements for classroom teachers and principals, including a requirement for instruction on educating diverse student populations such as students with mental health disorders.

- New requirements for mental health education for students and parents were enacted in California, Minnesota, and Utah. The next revision of California's "Health Framework for California Public Schools" will include a category on mental health instruction to educate pupils about all aspects of mental health, as recommended by the Instructional Quality Commission.
- Utah's HB 298 directs the State Board of Education to develop a curriculum and provide it to requesting districts.
- Legislation was passed in Minnesota allowing existing funding streams to be used to pay for mental health programs and initiatives; it allows districts to use local funds to pay to co-locate and collaborate with mental health professionals who are not district employees or contractors as an allowable use of Safe Schools Levy proceeds.

The ECS report also notes that other states, such as Louisiana, New Mexico, and Vermont, have initiated studies to gather more information on mental health issues and report recommendations to the state legislatures. Other states, such as California, have passed laws requiring SEAs to post links to mental health resources on state websites.

The ECS report and additional related

resources are available at: [www.ecs.org](http://www.ecs.org)

## **Education Commission of the States Reports on Dual Enrollment as a Promising Strategy for Workforce Investment and College Completion**

The Education Commission of the States (ECS) reports that nearly half of schools have students participating in dual enrollment with a career and technical education (CTE) focus. The report also notes that, in 2002-03, CTE dual enrollment was about 400,000 and since then has grown to more than 600,000, representing a yearly growth rate of 5.3 percent. The ECS report cites data from USED that 82 percent of high schools had students enrolled in dual enrollment courses in 2010-11. Based on research findings, ECS also argues that CTE dual enrollment students were more likely to earn a high school diploma, enroll in a bachelor's degree program, and enroll in college full-time plan. ECS cites other research that indicates CTE dual enrollment students are more likely than their peers to earn a high school diploma, not enter remedial coursework upon college entry, and have higher college persistent rates.

The ECS report also cites policies and practices which appear to be associated with successful CTE dual enrollment programs; one is that course content and instructor credentials must mirror those of traditional post-secondary instructors. It notes that multiple avenues are available to states to assure course quality, such as the National Alliance of Concurrent Enrollment Partnerships (NACEP) which accredits applicant concurrent enrollment programs that meet NACEP's 17 rigorous standards. Some states have incorporated NACEP

standards into regulations and CTE dual enrollment programs or have adopted similar program requirements. Another important policy is to ensure CTE courses incorporate industry curricula and standards and lead to certification. For example, "Courses that do not integrate these curricula and standards, or do not lead to certification, are of limited value and a poor investment of student, district and institutional time and resources."

The Administration's budget priorities for FY 2015 included a number of initiatives -- mostly in the U.S. Department of Labor under the Workforce Investment Act -- to improve career readiness. One such effort would be the \$100 million High School Redesign competition and some new or renamed STEM initiatives.

## **In Addition to Changing the SAT, College Board President David Coleman Announced During the South by Southwest Education Conference a "New Partnership" With Khan Academy**

According to Education Week's Digital Education blog (March 5<sup>th</sup>), "Beginning immediately, students and other users will be able to access hundreds of previously unreleased questions from past SAT exams, as well as videos with step-by-step solutions, on the Khan Academy website. To help students prepare for the new exam, set to debut in 2016, Khan Academy next spring will release materials and tools bearing the College Board brand, including adaptive and game-based online instructional offerings that can gauge where individual students are in their preparations for the SAT and provide customized

feedback.” Also quoted in the blog, Coleman stated, “The College Board cannot stand by while some test prep providers intimidate parents at all levels of income into the belief that the only way to secure their child’s success is to pay for costly test preparation and coaching....It’s time to shake up things.”

Founder of the Khan Academy Sal Khan reportedly said, “I can’t imagine anyone who’s going to take the SAT not wanting to log in, set up an account, and get that very personalized feedback through exercises, and do the deep practice on our site.” To minimize the impact on the digital divide, Coleman is reported as having said the College Board will invest in partnerships with schools, public libraries, after-school programs, and Boys & Girls Clubs to help make sure there is equitable access to the Khan Academy resources. Reportedly, the Khan website has ten million users per month; about 1.7 million students took the SAT last year.

### **Miscellaneous (a)**

The annual Scholastic/Gates Foundation survey of teachers found that 73 percent of teachers believe implementing the Common Core Standards is or will be challenging, but at the same time, as implementation progresses, teachers increasingly see the positive impact on students. As the report states, “For example, teachers who say implementation is fully complete in their school are most likely to say the standards will have a positive impact on the overall quality of education students will receive (73% compared to 56% who say they are in the early stages of implementation and 40% who say implementation has not started).”

As we reported earlier on preliminary results, more than 70 percent of the math, English language arts, science, and/or social studies teachers in Common Core states remain enthusiastic about implementation. And while 75 percent of teachers felt they are prepared to teach Common Core in 2013 in the latest survey compared to 59 percent in 2011, teachers want more resources, professional development, and time to prepare lessons and find materials; and teachers continue to believe that teaching at-risk students who are struggling presents the greatest concern.

As Stephen Sawchuk, Education Week’s Teacher Beat blog (February 27<sup>th</sup>) noted, “The results of this survey seem to indicate a discrepancy of sorts compared to unions’ depictions of teachers’ experiences with the standards. In a letter to National Education Association members, President Dennis Van Roekel argued that teachers reported that “implementation was not going well.” Too many states and districts have “completely botched” Common Core implementation he said.

### **Miscellaneous (b)**

The recent issue of State Line analyzed some of the state pre-K initiatives, and cautioned that the “catch is how to pay for it.” Indeed, compared to a decade earlier, in school year 2011-12, the percentage of four-year-olds enrolled in state-funded school increased from 14 to 28 percent between 2001-2002 and 2011-2012; however, according to the National Institute for Early Education Research (NIEER), state preschool funding has only increased from \$3.47 billion to \$5.1 billion. Because funding has not kept pace with enrollment

increases, per-child spending has dropped by more than 23 percent over that time period, adjusting for inflation. Some states -- Oklahoma, West Virginia, and Wisconsin -- have increased pre-K funding based on a formula which lends itself to low fluctuations and more stability. A number of other states, such as Georgia, North Carolina, and Tennessee, use lottery revenues to support preschool which vary from year to year. In New York City, the new Mayor has proposed a major preschool initiative for all four-year-olds which would raise taxes for high-income residents, while the Governor would expand preschool with existing State revenues. In other states and cities, non-traditional funding sources, subject to volatility, are used or have been proposed, including:

- Maine would dedicate some casino revenues to universal pre-K;
- a Maryland lawmaker would legitimize marijuana and use revenues to expand publically-funded pre-K;
- Utah would expand preschool using “social impact” bonds through Goldman Sachs and a private investor working with the United Way; and
- some cities, such as San Antonio, have raised funds by increasing sales taxes.

The original Obama proposal submitted last year would have relied on Federal taxes on tobacco which would have increased taxes from slightly over \$1 to almost \$2 per pack.

### **Miscellaneous (c)**

A Harris Poll of a representative sample of

more than 1,000 teachers found they assigned an average of 3.5 hours a day of homework to high school students. The estimate made by middle school teachers was about 3.2 hours of homework a week, while K-5 teachers gave students an average of 2.9 hours of homework each week. Reasons for assigning homework, according to the survey reported in Education Week’s Time and Learning blog were “to see how well students understand lessons, help students develop essential problem-solving skills, and show parents what’s being learned in school.” Only 30 percent of teachers said covering more content was one of their top reasons for assigning homework. Teachers with more than 20 years experience assigned less homework (2.8 hours) than did newer teachers (3.6 hours).

The growing emphasis on personalized individualized learning in the classroom has brought many pressures on school districts to replace seat-time measures with other measures of mastery items embedded in lessons. Replacing seat time and hour measures with mastery-embedded items, certificates, and other specific outcome measures could reduce homework assignment time. As Education Week reported, research conducted by Editorial Projects found that having hours of after-school assignments are “stressing students out,” especially those ages 12-15 when homework loads increase. As the report notes, “Others question whether required assignments are necessary for learning.”

### **Miscellaneous (d)**

A bill to revise the Childcare and Development Block Grant program was taken up by the whole U.S. Senate and

passed. The grant, which has not been reauthorized since 1996, is an important component of the Obama \$75 billion Universal Pre-K initiative and is part of Partnership Projects with Head Start. A bipartisan bill to reauthorize the program “sailed through the Senate Education Committee over the summer” according to Education Week’s Politics K-12 blog; the major refocus would be on improving the quality of childcare, not just access. However, most observers feel that it is unlikely to be renewed this year.

### Miscellaneous (e)

A March Education Insider survey by Whiteboard Advisors reports that 73 percent of “insiders” believe education companies are currently in violation of education privacy laws (i.e., FERPA, COPPA and related laws). More than 80 percent of insiders believe that data privacy is either a “very serious” or “extremely serious” political issue; however, only 47 percent feel that it is a “very serious” or “extremely serious” substantive issue.

The survey found that education insiders were split on what they think most states will do in the next one to two years which will impact companies or non-profits. Thirty-nine percent believe states will pass adverse legislation; 31 percent think states will pass legislation with no adverse impact; another 31 percent feel that they will not pass any legislation impacting companies or non-profits. Only 13 percent feel that the Federal government will pass legislation that could have an adverse impact on companies and non-profits.

In terms of the impact of state laws on

schools’ ability to use student data, 24 percent of insiders believe states will pass legislation that will have an adverse impact on schools’ ability to use student data, while only 11 percent feel that the Federal government will pass similar legislation impacting schools’ ability to use student data.

The full report is available at: <http://www.eduwonk.com/EducationInsiderFebMar2014.pdf>

### Miscellaneous (f)

The American Federation of Teachers’ President Randi Weingarten said that the AFT will no longer accept \$1 million a year in grants from the Gates Foundation for its Innovation Fund which has been used to help teachers implement the Common Core Standards since 2009. According to *Politico Education*, Weingarten felt AFT member distrust “philanthropies and the people on high who are not listening to them.” In addition to the funding for the Innovation Fund, AFT has received more than \$10 million for other projects from the Gates Foundation. As the article notes, implementation of the Common Core Standards has been a Gates’ priority.

### Miscellaneous (g)

Education Week’s On Special Education blog (March 7<sup>th</sup>) provided data indicating that the per-child allocation by IDEA preschool programs has been declining over the last few years. Under Section 619 of Part B IDEA, about 750,000 preschoolers ages 3-5 received services in 2012, with the Federal contribution being \$471 per-child;

this has declined since 1992 when it was at \$802 per child. For Part C Infant and Toddlers, 334,000 children participated and received approximately \$1,250 per child in 2012 which has declined from a high of \$1,979 per-child in 1999. Overall, the amount of IDEA funding per-child, under the Grants to State or allocation, is approximately \$1,700 per-child, serving approximately 6.6 million students enrolled in special education programs receiving IDEA funding.

### **Miscellaneous (h)**

USED announces \$95 million in SIG grants to ten states and releases a report on how community engagement and school turnaround activities have been used effectively.

The states and amounts were: Hawaii \$1.8 million; Louisiana \$9.5 million; Maryland \$6.6 million; Maine \$1.7 million; Michigan \$6.5 million; Maine \$1.7 million; Montana \$1.5 million; North Dakota \$1.1 million; Nevada \$3.7 million; Oregon \$5.5 million; and Texas \$46.8 million. The press release does not indicate how many new competitions can be expected from the recent series of SIG grants in the ten states. Secretary Duncan has on several occasions stated that the total number of new SIG schools identified for turning around using one of the prescribed turnaround models is approximately 150 across the country for this year.

USED also released a paper entitled “Strategies for Community Engagement and School Turnaround” based on its reviews of 11 states and districts between April and August 2013. The press release dated March 13<sup>th</sup> summarizes the primary reasons

or takeaways about successful community engagement in successful turnaround efforts which included:

- make engagement a priority and establish an infrastructure;
- communicate proactively in the community;
- listen to the community and respond to its feedback; and
- offer meaningful opportunities to participate and turn community supporters into leaders and advocates.

# Alaska Update

## March 2014

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Alaska Governor Sean Parnell, in his State of the State address, called for increased funding for technology in the classroom, eliminating unnecessary standardized tests, and improving technical education. About \$5 million would be used for improving digital teaching, including video conferences with remote schools. He called for replacing the outdated State assessment with the SAT, ACT, or WorkKeys tests within two years before the expected graduation date of high school students and also called for expanding dual credit options for credits for high school graduation and certification in a career field. The \$201 per-pupil increase over three years would increase \$85 the first year, \$58 the second, and the remainder in the third year for a total of \$5,881 per pupil. The Parnell bill would also include a provision that would allow charter schools to appeal if their applications were turned down by local school boards; this is part of the Governor's approach to allow families to make wise choices regarding their children's education.

# California Update

March 2014

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Only a few days before field tests of the Common Core State Standards (CCSS) are scheduled to begin, USED has approved California's request for a waiver to test all of its students using the field test. These tests not only do not have to be reported, but will not be used for teacher evaluation and other accountability purposes. As reported in the Washington Post (March 8<sup>th</sup>), Assistant Secretary Deborah Delisle wrote, "I hope you find this flexibility helpful." The field test will be administered to all 3.4 million students at a cost of about \$51 million. As Education Week's Politics K-12 blog notes, "The State will continue to give an exit exam at the high school level even though the waiver states had the option of requesting and receiving another waiver to prevent double testing...California is not a waiver state, but was approved to basically take advantage of the waiver state waiver-on-waivers." Other states which have received similar waivers as California's include South Dakota, Montana, and Idaho. Some civil rights groups and Congressman George Miller (D-CA), ranking Democrat on the House Education Committee, feel that, even though the field test results are not "valid," results should be used by district staff to help improve instruction in some way. Many of the dozen or so waiver states that have received double testing waivers will only field test portions of the CCSS exams and still retain their current state test for many students.

As reported in Education Week's Rules for Engagement blog (March 20<sup>th</sup>), California advocacy groups for disadvantaged and ELL students have urged the Los Angeles school district to increase funding for student support and engagement activities under new requirements that influence how new funding for community engagement under California's local control funding formula is to be used. While \$91 billion has been allocated for school police and security, and \$88 million is allocated to after-school programs, and \$52 million and \$42 million are devoted to counselors and health services, respectively. The blog notes that they asked districts to take steps to include investing in evidence-based alternatives to school policing and hiring additional counselors, psychologists, social workers, nurses, and community intervention workers. The

new CDE funding stream will be gradually phased in, along with additional funding, over the next few years.

# Delaware Update

## March 2014

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As reported in [DelawareOnline.com](http://DelawareOnline.com) (February 3<sup>rd</sup>), the Delaware Department of Education has received a \$1.5 million grant from the Dell Foundation which will allow the State to expand its K-12 data system into preschool education. Teachers will be able to access information like personal observations of student vocabularies and ratings of preschools they attended. Each child will have a unique student identifier which can be accessed only by “direct educators of the students.” The system is designed to help early education staff work with parents on early learning problems concerning their individual children. The Executive Director of the Delaware chapter of ACLU warned of privacy concerns, noting “...data collection and data mining is not just going on more and more within government agencies, it’s going in private businesses too. There are concerns we think need to be addressed.”

Delaware Governor Jack Markell has entered into a partnership with Dupont and State colleges to identify and provide training for entry-level positions and provide students a fast-track for opportunities, including full-time jobs.

# Florida Update

## March 2014

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According to Education Week (January 22<sup>nd</sup>), following legislation two years ago that targeted Florida's 100 lowest-performing elementary schools, three-quarters of the schools increased reading scores, with 70 of the 100 schools exiting from the lowest-performing list. A legislative study found that FCAT scores in 73 schools increased by more than ten percentage points and another 35 schools saw gains between five and ten points. The lengthy article notes several approaches and use of publishers' materials (e.g., McGraw-Hill SRA Direct Instruction, Heinemann's Level Literacy Intervention, among other programs) in various districts.

The Tampa Bay Times (February 27<sup>th</sup>) reports that the Florida Department of Education Procurement Team for Common Core State assessments has recommended that the American Institutes for Research administer the State's new standardized tests. The five-member team vote was a unanimous, although the final decision will rest with the State Commissioner Pam Stewart. The article notes that five groups submitted proposals including ACT, CTB/McGraw-Hill, McCann Associates, and Pearson, along with AIR. As reported in the article, the PARCC assessment was originally selected but subsequently was dropped prompted by urgings from Governor Rick Scott who wanted other options; and PARCC was not able to submit under the competitive bidding process because of contractual funding issues.

Education Week's State Ed Watch blog (March 17<sup>th</sup>) confirms that Florida will be using the AIR state tests, replacing the Common Core exam developed by the PARCC testing consortium. Florida, at one time, was the fiscal agent for PARCC. In her letter to parents, Commissioner Stewart said the FCAT will be replaced next school year and that she was "confident that she selected an assessment that is the best assessment for Florida students who have been learning the new Florida standards."

# Georgia Update

## March 2014

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Georgia Governor Nathan Deal is proposing an increase of almost \$550 million in education funding which would be the largest increase in K-12 funding in seven years. Governor Deal is seeking reelection and wants to use additional funds to restore school instructional time, rehire teachers on furlough, and other reverse cuts that have been made over the last several years. The Governor has also proposed creation of a new scholarship program to cover tuition for students in State technical colleges who maintain at least a 3.5 GPA.

According to Education Week (January 29<sup>th</sup>), on January 15<sup>th</sup> USED withheld \$9.8 million of Georgia's \$400 million Race to the Top grant because the State eliminated a merit pay teacher evaluation system. Earlier, USED had threatened to do so. According to the article, this is the first time USED has withheld Race to the Top funding from any state; although, if Georgia has a change of heart, it could receive the money back after adopting a merit pay system tied to teacher evaluations. Unused Race to the Top funding reverts to the U.S. Treasury.

# Idaho Update

## March 2014

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The Idaho State legislature has agreed to pay \$6.6 million to Education Networks of America in order to keep Internet access in high schools until the end of the year. Such funding was halted over a legal dispute, according to Education Week (February 26<sup>th</sup>). About 90,000 students on the Idaho Education Network (IEN) will continue to have web access and distance learning courses. Funding and uncertainty regarding the future and possible “back payments” are still tied up in the courts following protests of the initial award of contracts to groups working with the Idaho Education Network. Student enrollment in IEN Advanced Placement courses has reached 10,000 this year.

Idaho is the second state, along with Montana, which USED has allowed to have all students take the Common Core assessment field test. In making this decision, the State does not have to count the field test results toward accountability.

# Indiana Update

## March 2014

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On February 28<sup>th</sup>, the Indiana House voted to repeal the previous adoption of Common Core State Standards. Senate Bill 91 which, according to [Education Week's State Ed Watch](#) blog (February 28<sup>th</sup>), goes to conference, and if the committee approves the bill, it will go to Governor Pence who would likely sign it. While the State's new draft standards, developed by teachers and higher education faculty, draws heavily on the Common Core, the State standards are considered Indiana's "own standards." Various State Department of Education officials appear to be pleased with the process by which the "new" standards have been crafted.

As reported in *NWI Politics* (February 27<sup>th</sup>), the Indiana Governor's office estimates that dropping the Common Core and devising new State Standards and a test to measure achievement under those standards will cost the state at least \$25 million. Moreover, local school corporations (i.e., districts) will have to spend millions to replace textbooks and other course materials they purchased in order to address Common Core Standards.

# Kansas Update

March 2014

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The most recent USED waiver monitoring report has found that interventions for Kansas Focus schools are not aligned with the reasons those schools were selected as being Focus schools.

According to Education Week, this is a common problem among many waiver states. USED also reported some schools classified as Focus schools are not lowest-performing or achieving academic targets and that the State has not resolved its teacher evaluation problems; USED has not approved the Kansas Common Core assessment plan since it dropped out of one of two testing consortia.

# Kentucky Update

## March 2014

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According to Education Week (February 14<sup>th</sup>), the Kentucky House recently passed a bill to improve school readiness in kindergarten using funds under the State's \$44 million Race to the Top-Early Learning Challenge grant. Most of the money will be used to train childcare and preschool staff and to provide incentives to improve programs, according to the bill's lead sponsor, Republican Derrick Graham. Having passed the House by a 79-11 vote, it now heads to the Senate.

The Kentucky State Senate Education Committee unanimously passed a bill which would prevent the sale of student digital data by technology companies. Privacy in the use of student data has surfaced as one of the top major concerns in many states across the country and, in turn, has become a major problem for many education technology companies. The Kentucky measure, which goes to the State Senate, is specifically related to firms which capture student data for instructional purposes. The bill's sponsor, Senator Jimmy Higdon (R-Lebanon) argued that adults using online services have a choice; however, "Students do not. No company in a position to store private, school data should be able to sell that data for profit." Districts would also have to make public a list of all third-party and privately contracted, web-based services used in the district and parents would have to be notified of the types of student data transferred to third-party service providers, according to Education Week (February 7<sup>th</sup>). Given the rising concern of privacy issues and lobbying at the state level by groups such as ALECS, similar bills are expected to be submitted in other states, with many enacted over the next few months. About 70 bills have been introduced in the last four months according to the Digital Learning Network.

# Louisiana Update

## March 2014

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Louisiana's proposed Jump Start is a major new initiative to overhaul career and technical education, affecting more than 25,000 students. LEAs, two-year colleges, and firms would form regional teams for training on computers through on-the-job experience. Students would decide whether to pursue career or university paths in high school which is now done at the eighth-grade level. In all, about 75,000 high school juniors and seniors initially will work with districts, colleges, and industry groups, which will receive grants of \$75,000 to begin the initiative during the 2016-17 school year. It will focus on the fields of construction, engineering, manufacturing, energy, transportation, and healthcare. The State Board must approve the measure.

# Maine Update

## March 2014

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By a 94-51 vote, the Maine House has endorsed legislation to halt virtual charter school expansion until the State draws up a plan for online learning for all students. According to Education Week (February 27<sup>th</sup>), the moratorium ends in January 2015.

# Maryland Update

## March 2014

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A bill has been introduced in the Maryland House to appoint a 16-member research work group which would ensure better implementation of the Common Core Standards. The work group would evaluate school needs and make budget and policy recommendations to the State.

According to Education Week (February 27<sup>th</sup>), the bill is supported by the Maryland State Department of Education. After assessing each district's technology needs, the work group would create a professional development plan for the district that schools would begin using in the Fall. Representative Eric Luedtke introduced the bill.

# Michigan Update

## March 2014

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According to Education Week (February 20<sup>th</sup>), Michigan's State Superintendent has terminated the contract that would allow the Education Achievement Authority (EAA) -- which currently operates 15 low-performing schools in Detroit -- to allow it to take over more failing public schools across the State. However, the EAA would still be included among the alternatives to take over other State low-achieving districts in the future. The Governor, who supported State Superintendent Michael Flanagan's decision, said that the termination of the contract with the EAA is not a criticism of the job it's doing, but allows for additional flexibility which both the Governor and State Superintendent desire. The EAA responded to the decision by saying that nearly six in ten students in its schools achieved one and half year's growth in math and reading in one year, results which have been disputed by critics.

A January 22<sup>nd</sup> article on MLive.com reports that proposed changes to the Michigan Teacher Evaluation System could cost local districts and ISDs up to \$42 million, as reported recently by the House Fiscal Agency in its analysis of House Bills 5223 and 5224. The analysis says that the proposed legislation could cost between \$16 and \$42 billion to purchase evaluation tools, train staff, and provide substitutes for trained teachers serving as observers to conduct evaluations, among other expenses. Most of the concerned legislators said the cost would be a big one-time cost and that some could be reimbursed out of the State's budget surplus, especially for the cost of purchasing evaluation systems and training principals and teachers to conduct evaluations. Districts would also be required to assign mentors and coaches for first-year teachers and teachers designated as "minimally effective."

# Mississippi Update

## March 2014

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The [SunHerald.com](http://SunHerald.com) Biloxi/Gulfport News Service reports that the Mississippi legislature is considering a separate Statewide school district to take over failing schools. House Bill 502 would create an Achievement School District that would take over low-performing “F” schools. The district would, under a separate board appointed by the Governor, Lieutenant Governor, and the State Superintendent, be similar to “achievement” districts set up in Louisiana and Tennessee which, however, do not have separate school boards. In 2013, more than 50 schools were rated “F” for having failed two years in a row. Differences between the Senate and the House bills have yet to be reconciled; this, however, is likely to occur.

The Mississippi State Board of Education has approved Common Core-aligned English and math courses. According to [Education Week](#), advanced algebra, trigonometry and statistics would be dropped, but would be “wrapped into the sequence leading from eighth-grade math through algebra, geometry, and algebra II.” Students will still take four years of English and language arts courses with English 1 and English 2 required.

# Missouri Update

## March 2014

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The Missouri House Appropriations Committee has proposed a \$100 million increase in the \$3 billion basic aid package for K-12 school districts which is less than the \$278 million increase in basic school education aid proposed by Governor Jay Nixon. The Committee also proposed a \$43 million funding increase for colleges and universities which meet certain performance criteria, which is similar to the Governor's recommendation, according to Education Week (February 19<sup>th</sup>).

Governor Jay Nixon has planned to nearly triple funding for Missouri preschool programs for FY 2015, along with an additional \$270 million for K-12 education. He specifically called for the use of more technology, smaller class sizes, well-prepared teachers, and increased accountability. For all preschool to graduate school education, he has proposed an additional \$493 million.

The Missouri legislature is considering a bill that would provide virtual courses at the post-secondary level to high school students who are enrolled in dual credit classes. If passed by the legislature, the program would go into effect shortly after passage scheduled for May.

# Nevada Update

March 2014

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The Nevada State Board of Education has voted unanimously officially to adopt Common Core science standards which make it the ninth state to do so. The voluntary new science standards had more than 24 states involved in the development.

# New Jersey Update

## March 2014

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In his proposed 2015 budget, New Jersey Governor Chris Christie has proposed \$5 million for a competitive grant program to extend the school day or school year. The proposed Education Innovation Fund will support best practices and approaches which could serve as models for later implementation by other districts across the State using blended learning, community services, and other possible approaches, according to Education Week's *Time and Learning* blog (March 7<sup>th</sup>). The article notes that Elizabeth, New Jersey is currently implementing, in all K-8 schools, an extended learning time program. According to the responsible State official, while the \$5 million is considered only a small but important start for a pilot program, it does represent a large component of the overall State K-12 funding increase of slightly more than \$35 million Statewide in the 2015 budget.

Pursuant to a case filed seven years ago, a consent decree has found that 75 New Jersey school districts with the lowest “inclusion” rates in preK-12 programs must conduct needs assessments and create corrective plans, according to *Politico*. Districts include Newark, Passaic, and Jersey City, among others. About a fourth of the student population in the State will begin their needs assessments in September and have three years to comply with the corrective plans that will have been developed. Most of these districts will be required to set aside up to 15 percent of their IDEA funds to provide Coordinated Early Intervening Services and RTI approaches, because they have been identified as having “disproportionality” under the 2004 IDEA reauthorization.

# **New Mexico Update**

## **March 2014**

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In her State of the State address, New Mexico's Governor Susana Martinez pledged an additional \$100 million for education, emphasizing the need to give a return in the form of student achievement for our education dollars, as shown by increased graduation rates and improved reading proficiencies. Another priority is for early college high schools to create a workforce for local businesses through which students receive job-ready certificates and associate degrees. About \$9 million would be provided to improve teacher training for, among other things, increased parent involvement.

The proposed legislative budget that is headed to the New Mexico House, with opposition from Republicans, would include a 4.8 percent increase in education next year. About \$2.7 billion could be allocated to K-12 which is a \$150 million increase or 5.8 percent. The vast majority of funds go out to the 89 districts on a formula basis -- the districts decide how to spend the money. A proposal to provide \$100 million annually for early childhood education passed the legislature in an earlier session. Final budget determinations for K-12 for next year remain unclear.

# New York Update

## March 2014

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The New York State United Teachers union has withdrawn support for the Common Core Standards. The NYSUT, which has 600,000 teachers, retired teachers, and school professionals, accounts for 15 percent of national teacher union membership, says it wants more time for teachers to review Common Core lessons promoted by the State and wants the opportunity to provide more input on appropriateness in other areas. As reported by *Politico* (January 26<sup>th</sup>), opponents of Common Core have touted that the NYSUT vote is a turning point against implementation of Common Core nationwide. The American Federation of Teachers (a NYSUT affiliate) has been more nuanced in that it supports a moratorium on high stakes testing as Common Core assessments are phased in.

At the same time, a vote of 117-10, the New York Assembly has delayed the use of Common Core State Standards assessment results for teacher and principal evaluation scores and directs Commissioner John King to apply for a state waiver from USED to make it effective. Common Core assessment results cannot be the sole or primary factor affecting student promotion and student data cannot be offered to third-party vendors until July 2015, according to Education Week's State Ed Watch blog (March 6<sup>th</sup>). Another pending bill that would repeal Common Core outright has not gained traction. According to the blog, the new bill conflicts with Governor Andrew Cuomo's position about not wanting students unfairly impacted by the transition to new standards and tests. If waivers are denied in the future, the section barring Common Core assessment results from having an impact on teacher evaluations would deem to be repealed.

Education Week reports that New York City Mayor Bill de Blasio is proposing that every subdistrict in the City that do not have after-school middle school programs establish them to serve more than 60,000 additional students. Currently, about 225,000 middle school students attend after-school programs from 3 to 6 p.m.

# Ohio Update

## March 2014

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Governor John Kasich, in his State of the State speech, devoted nearly 20 minutes to education, identifying a number of education initiatives he will support in the future, assuming he is re-elected in November. These include:

- a plan to reduce high school dropouts by taking students out of the traditional school environment, and incorporate OJT and apprentice programs;
- an initiative for adults without diplomas to get a two-year degree, credentials, or workforce training;
- an initiative funded at about \$10 million to develop a mentoring program that engages parents, teachers, and business and community members;
- the creation of an online system to provide students information about jobs in high demand, skills involved, and what they pay and other supports to help students make career decisions;
- a plan to make vocational education programs available for students as early as the seventh grade;
- funding dual school enrollment programs through the post-secondary enrollment option; and
- increase funding for universal preschool following initiatives in Cincinnati and Cleveland.

# Oklahoma Update

March 2014

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USED's most recent monitoring report cites the State for dropping out of the PARCC assessment consortium in order to develop its own assessment, which USED says does not meet Federal standards. Also, reporting at the State and local level does not contain all required information, according to Education Week (February 21<sup>st</sup>).

# Rhode Island Update

March 2014

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In his State of the State address, Rhode Island Governor Lincoln Chafee called for an additional \$38 million in K-12 funding, emphasizing the need to funnel support toward at-risk students. He also stressed closing skill gaps through a targeted investment in workforce training to help unemployed workers find jobs and meet employer needs.

# South Dakota Update

## March 2014

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South Dakota Governor Dennis Daugaard has proposed \$8.5 million in K-12 funding to strengthen career and technical education programs and provide opportunities for students to work with the latest technology hands-on, according to [Stateline.org](http://Stateline.org). Dual credit courses would be expanded and technical institutes would receive funding to provide scholarships in high-need areas such as engineering and biosciences.

The Rapid City Journal (March 3<sup>rd</sup>) notes that the South Dakota House of Representatives has passed, without any opposition, legislation that establishes numerous restrictions on data collection on students in schools. The bill would prohibit the release of personal information to USED for purposes other than improving migrant programs, but could not personally identify the information. Parent permission is required for schools to collect information on nine items ranging from political and religious beliefs to gun ownership and income. SB 63, now in its fourth remake, has been returned to the Senate for further consideration.

# Texas Update

## March 2014

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The Texas Tribune (January 31<sup>st</sup>) reports that Algebra II will no longer be required for students in order to graduate from Texas public schools. Based on a final vote, the State Board of Education approved two new high-level math courses students could take as an alternative: Statistics and Algebraic Reasoning. Both alternatives, designed by local districts, are supposed to be as rigorous as Algebra II.

As noted in Education Week (February 12<sup>th</sup>), a new National Alliance for Public Charter Schools' report has found that approximately 600 new public charter schools opened nationwide in 2013-14 and that 52 of these charter schools were in Texas, involving 36,000 students. According to the Texas Charter School Association, an additional 100,000 students Statewide are on a waitlist to go to charter schools. Last year, the Texas legislature increased the cap on charter school licenses from 215 to 305 by September 2019.

# Utah Update

## March 2014

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A bill has been proposed before the Utah State legislature that would allow districts to use up to eight class days or 60 hours of class time annually for professional development, according to Education Week's Time & Learning blog (February 7<sup>th</sup>). Districts would not be penalized if they did not meet the 180-day class time requirement. The article notes that the Utah Education Association “recognized” the legislation but is concerned that fewer instructional days would not benefit Utah students and since teacher compensation is aligned with student performance, fewer hours of student instruction might not be advantageous. The Obama/Duncan Administration has been pushing for increasing student class time, not reducing it which would be the effect of this legislation. Districts would have more flexibility in organizing schedules.

A Utah State Senate committee has unanimously voted on February 12<sup>th</sup> to pass a measure providing \$500,000 for teacher training and related costs to improve personal finance courses for students. Classes on budgeting and basic economics have been required, but advocates argue that teachers have not been trained adequately to teach such classes. Focus of such teacher training will be related to balancing checkbooks, making investments, and making insurance-related decisions. According to Education Week (February 13<sup>th</sup>), the bill now goes to the Senate.

On another matter, the Utah House passed HB 96 by vote of 49 to 24 to provide grants to schools, families, and daycare centers to implement quality preschool curriculum for at-risk children, according to The Salt Lake Tribune (February 13<sup>th</sup>). Grants would be provided to two entities experimenting with different models, including in-classroom instruction, at-home software, and traditional settings in order to reduce the need for remedial education later. While private foundations and investors would pay for the program, the State would reimburse these donors only if “the instruction succeeds in keeping kids out of special education later. The Bill seeks \$5 million, according to the article.

The State's Charter School Board has conducted an evaluation of the State's 81 charter schools for the first time.

# Vermont Update

March 2014

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The Brattleboro Reformer (January 30<sup>th</sup>) reported that, based on last year's legislation, each student in Vermont will eventually develop a personalized learning plan that "matches their career interests and aspirations with their learning, which could include internships and college courses." About half of Vermont's schools offer some types of personal learning now, according to State Education Department officials, and about 1,300 students take or have taken college courses as part of dual enrollment in the 2013-14 academic year -- up from 789 in 2012-13.

# Virginia Update

## March 2014

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The Virginia State legislature has passed a bill that would allow computer science course credits to count as a science, math, or CTE credit when offered as part of a high school diploma course. It must receive final approval from the Governor's office.

# Washington Update

## March 2014

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Education Week (February 26<sup>th</sup>) reports that Washington Governor Jay Inslee has negotiated a compromise with State legislators from both parties that would revise the State's teacher evaluation system so that it would satisfy Federal waiver requirements. The Governor's plan, if adopted by the legislature and by Secretary Duncan, would allow more than \$40 million from Federal grants to continue going to the State. The Governor's proposal would extend the State's waiver through 2017-18 school year.

# Wisconsin Update

March 2014

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According to Education Week (December 11<sup>th</sup>), the Wisconsin State assembly, led by Republicans, rejected Tea Party pressures to scrap the Common Core Standards. Rather, the Republican committee recommended continued review and adoption of standards that involve legislative control and public comment.