

The Education Report

A weekly report of public policy issues in American Education from

Washington Partners, LLC

1101 Vermont Avenue, N.W., Suite 400, Washington, D.C. 20005. (202) 289-3900.

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1. Lame Duck and Continuing Resolution Update

The lame duck session of the 107th Congress convened on Tuesday. It was short lived for the House of Representatives-adjourning late Thursday evening. The major accomplishments in the House were passage of a Continuing Resolution funding 11 appropriations bills that will expire on January 11th; a Homeland Security Bill that is apparently to the liking of the Senate and the White House; a Bankruptcy Reform Bill; and numerous small items such as the reauthorization of the National Science Foundation Act.

For the Senate, the session will last a little longer. Their work is complicated by changes in leadership endorsed by the voters on Election Day. Though Senator Tom Daschle (D-SD) is Majority Leader today, he will likely lose that title next week when the Missouri Legislature certifies the special election results that gave a Senate seat to Jim Talent (R-MO). The Senate did adopt the Continuing Resolution and is now deep in debate on Homeland Security-a debate that will likely continue throughout next week. It is unclear if any other measures will be cleared for passage before the Senate adjourns next week.

While the floor debate in the Senate marches on, change is in the wind throughout the halls of Congress. Senator Mitch McConnell (R-KY) has everybody guessing about his Committee assignment decisions, now that he has ascended to the number 2-leadership

position. If he gives up the Chairmanship of the Foreign Operations Subcommittee of Appropriations, he will set off a chain reaction throughout the Committee. It is also possible that a new Homeland Security Appropriations Subcommittee will be established, further confusing the assignment game. For education advocates the single most important question is who chairs the Subcommittee on Labor, Health and Human Services and Education? If Senate Arlen Specter (R-PA), currently the ranking Republican on that Subcommittee, were to select a new spot, Senator Judd Gregg (R-NH) moves into the top seat. Combined with his new role as Chairman of the Health, Education, Labor and Pensions Committee he would hold great sway over all authorizing and appropriations decisions regarding domestic discretionary spending. As a fiscal conservative and close ally of President Bush, he could be expected to hold the line on increases in education spending and enforce recommendations to eliminate funding for many programs.

The influence of those Senators anxious to reduce government spending is further strengthened by the announcement this week that Senator Pete Domenici (R-NM), long time senior Republican on the Budget Committee is stepping aside. The Chairmanship now passes to Senator Don Nickles (R-OK). You will recall that Senator Nickles considered challenging Senator Lott for the Majority Leader's spot because he found him "too willing to work with the Democrats". In other words, he too will be anxious to promote the budget put forth by President Bush in the coming year-a budget written by forecasters who predict a \$175 billion shortfall for FY 2004.

Because the Continuing Resolution is set to expire on January 11th, Congress must return to Washington during the week of January 5th. At that time new leadership will be firmly in place in the Senate and action is expected on a budget resolution that will prescribe specific funding allocations for those agencies of the government whose FY 2003 spending bills have not yet been adopted. For the Subcommittee on Labor, Health and Human Services and Education, it is very likely that the allocation will match the President's original request-a 2% increase over FY 2002 rather than the 9% increase agreed to this summer by a Senate Appropriations Committee under the control of the Democrats. In the plainest of English, that would require cuts in education spending of several billion dollars from S. 2766, the Senate Committee bill. Once a budget resolution is adopted, negotiations can begin in earnest between the House and Senate to decide on these reductions and write an omnibus appropriations bill that will provide the funds necessary to fund the Department of Education until September 30, 2003.

2. Are Vouchers on the Horizon for IDEA Reauthorization?

With the Republicans leading both chambers of Congress and the Administration, vouchers may emerge high on the agenda as an IDEA reauthorization provision. In a recent New York Times article (Sunday 11/10, page A26, <http://www.nytimes.com>), Senator Gregg (R-NH), the likely Chairman of the Health Education Labor and Pensions Committee in the 108th Congress, is cited as indicating that he would like to "expand" the availability of vouchers for children with disabilities. Gregg notes that he does not consider vouchers for special education students as explosive an issue as those for

general education students, since a version of “choice” already exists in IDEA. Gregg is apparently characterizing the placement of students with disabilities in private school settings when the public system cannot meet their needs as a “choice” provision.

Senator Kennedy (D-MA) has indicated that the introduction of vouchers into IDEA would be an explosive issue undermining the bi-partisan progress to date that has been made in developing an IDEA reauthorization bill. Education organizations, led by the National PTA in the National Coalition for Public Education are already mobilizing to fight vouchers in IDEA. This coalition of over 60 national organizations holds that vouchers will undermine the promise of a free appropriation public education. They argue that voucher programs will not expand parental options since they do not provide for full tuition and parents must make up the difference in tuition costs, thus eliminating low-income parents from participating.

The final report of the Presidential Commission on Excellence in Special Education, “A New Era: Revitalizing Special Education” calls for increased choice provisions for parents in IDEA. In January, the Administration is expected to issue its “blueprint” for IDEA. At this point it is not known if vouchers will be in that proposal. However, Republicans may want to use IDEA as an opportunity to assert their newly earned political domination on the education agenda, particularly since this is the first education legislation that Congress will consider since the June 2002 Zelman Supreme Court decision supporting vouchers for private schools.

For more information on the National Coalition for Public Education, call 202-289-6790.

3. Committee on Education and the Workforce Writes to Sec. Paige About IDEA Commission Report

On October 9, chairs of the House Committee on Education and the Workforce and the Subcommittee on Education Reform wrote to Secretary Paige regarding “A New Era: Revitalizing Special Education.” Rep. John Boehner (R-OH), Rep. George Miller (D-CA), Rep. Mike Castle (R-DE) and Rep. Dale Kildee (D-MI) asked Secretary Paige to review the Commission’s report and consider how he will respond to the recommendations. The Members provided Secretary Paige with a 28-page analysis of the Commission’s report that includes a breakdown of the Commission’s findings and recommendations in relation to who would be responsible for addressing them. They found that the Department of Education and the Administration could implement 34% of the recommendations; that the Congress would need to act on 41% of the recommendations and that states, school districts, institutions of higher education and other institutions would need to act on 23% of the recommendations. Two percent of the recommendations required no action. The letter requested that Secretary Paige provide a detailed summary of the Department’s plans regarding how they intend to act on the Commission’s recommendations.

4. Multiple Studies Underway on IDEA

The Department of Education has millions of dollars invested in long term studies on IDEA on topics ranging from special education personnel needs to state and local implementation of the law. The statute allows the Department to spend one half of one percent of Part B funding on such studies. It is estimated that about \$16 million per year is invested in these efforts. A first wave of data analysis has recently been completed by Abt Associates, the firm conducting SLIIDEA-- State and Local Implementation of IDEA. One interesting set of findings indicates that the vast majority of school districts do not utilize mediation to resolve disputes (87%) or impartial due process hearings (94%). Apparently parents and schools work out their differences informally, when there are differences. This is notable as it is commonly assumed that IDEA promotes contention and litigation.

To find out more about the national studies underway go to <http://www.ed.gov/offices/osers/osep> and click on "national studies." _

5. Some Good News From NCLB Implementation

In response to the unprecedented level of accountability the No Child Left Behind Act demands of our nation's school systems, some education officials have produced remarkable results, and their efforts have been both recognized and rewarded.

In Chicago this week, two of the city's notoriously low-performing schools were taken off of Mayor Richard Daley's school probation list, and their improvements have been so profound that they were among 48 elementary schools and 12 high schools to receive \$10,000 grants recognizing their significant test score improvement.

In just over a year since the arrival of principal Momma Hawk to Paderewski Elementary, nearly 30 percent of her pupils met norms of both the Iowa Tests of Basic Skills and the Illinois Standards Achievement Test, up from 17 percent the year before. At Donoghue, Principal Jo Ann Roberts has been credited with increasing the percentage of students who meet the standards of the Iowa test from 15.9 percent in 2001 to 29.1 percent in 2002. Less than a year ago, the Chicago Board of Education had targeted both schools for closure as a means of advocating accountability.

Similarly, lauded Superintendent Eric Smith of the Ann Arundel County, Maryland school system was honored in New York City this past September with the Harold W. McGraw Jr. Prize in Education for his visionary work in improving schools and closing the achievement gap.

Dr. Smith just recently came to Ann Arundel County after spending six years turning around the Charlotte-Mecklenburg, North Carolina school district. He is credited with quadrupling black student enrollment in AP level courses, and increasing overall test scores by 20 percent.

More in-depth articles may be found at: <http://www.washingtonpost.com> , under "archives," type "Classroom Crusade."

For the story of the Chicago schools, go to: <http://chicagotribune.com/archives> , search the archives under "60 Schools Strike Test-Score Gold."

6. ED Department November Teleconference on the Importance of Science and Math

The November Education News teleconference, scheduled for Tuesday, November 19, 2002, from 8:00PM-9:00 PM, will address the ever increasing need to improve students' grasp of mathematics and science. The monthly teleconference sponsored by the Department of Education aims to encourage parents to understand the importance of mathematics and science education in this technology-driven 21st century.

If you would like more information, or if you would like to register for the event, please go to: <http://registerevent.ed.gov/downlink/event-flyer.asp?intEventID=162> .