

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.

WASHINGTON PARTNERS, LLC is a public and government relations consulting firm dedicated to empowering its clients in public policy and communications. Services available through Washington Partners, LLC include government relations, policy research and analysis, strategic planning, public relations and communications, grassroots activities, association management, and meeting and conference planning.

November 27, 2002

Executive Summary:

1. Final Regulations Issued for the No Child Left Behind Act
2. Whitehurst Appointed Director of Institute of Education Services
3. Senator John Edwards Outlines Education Proposals
4. Department of Education Inspector General To Evaluate States' Goals Under the Perkins Act
5. New Guide For FY03 Programs Issued by National Science Foundation

1. Final Regulations Issued for the No Child Left Behind Act

Yesterday, Secretary Rod Paige issued the Department of Education's final regulations for Title I of the No Child Left Behind Act. Proposed regulations were issued on August 6, 2002 and the public was invited to comment. Over 700 comments were received by the Department, which invoked numerous changes in the final regulations.

The final regulations are 377 pages long and address core provisions of the new law such as adequate yearly progress (AYP). The regulations indicate that states can integrate AYP formulas into their existing accountability systems. AYP plans must be submitted to the Department of Education by January 31. They will be scrutinized under a peer review process that will send "accountability experts" into states from the Department of Education.

A significant change in the final regulations requires public schools that are deemed to be failing (which may be as many as 50%-90% of schools in some states) to offer transfers to better schools, regardless of whether or not those successful schools are full. Some education groups are criticizing this provision as a back door way to promote vouchers, since school districts may have a hard time finding the alternate placements in the public system.

The regulations allow teachers certified through alternative routes to be considered "highly qualified" if they receive "high-quality" professional development and mentoring and show progress toward certification. Special education teachers who are providing

instruction in core academic subjects must meet the “highly qualified” standards of the law; however, special educators who do not directly instruct students in core academic subject areas are not subject to the requirements. Additional guidance will be forthcoming from the Secretary on the application of “highly qualified” to special education.

Rep. George Miller (D-CA) criticized the provision that allows states to aggregate dropout rates rather than report them by subgroups. He said that the system would mask dropout rates from minority students.

Unresolved in the regulations is the issue of how students with significant cognitive disabilities will be included in AYP. The proposed regulations indicated that up to .5% of all students may have their progress measured using alternative achievement standards. The Secretary will shortly issue a new proposed regulation for comment on this issue that will likely raise the percentage and define the eligibility of those who may be assessed utilizing alternative achievement standards.

Title I -- Improving the Academic Achievement of the Disadvantaged; Final Rule," is available now at: <http://www.ed.gov/offices/OESE/SASA/cepprogressp.html#reg> [>>](http://www.ed.gov/offices/OESE/SASA/cepprogressp.html).

2. Whitehurst Appointed Director of Institute of Education Services

On Tuesday, President Bush named Grover “Russ” Whitehurst director of the Institute of Education Sciences at the Department of Education. Since July 2001, Whitehurst has served as the Department’s assistant secretary for the now-defunct Office of Educational Research and Improvement (OERI).

The new Institute of Education Sciences, which replaces the OERI office, was formally established when President Bush signed the Education Sciences Reform Act of 2002 on November 5th. The new institute will be relatively independent from the Department of Education, and it will be comprised of national education centers that emphasize research, statistics and evaluation.

Prior to his time at the Department of Education, Dr. Whitehurst was a professor of psychology and pediatrics and chairman of the Department of Psychology at the State University of New York at Stony Brook.

3. Senator John Edwards Outlines Education Proposals

In a speech at the University of Maryland last week, Sen. John Edwards (D-NC) laid out his education plan. Many consider this speech part of his 2004 Presidential candidacy exploration. His recommendations include doubling federal funds to improve teacher quality, providing differential pay and calling on states to reform tenure laws so that they can better deal with under performing teachers. Many of these proposals are in opposition to national teachers unions, such as the National Education Association. The Edwards proposal also features a “College for Everyone” plan.

Senator John Edwards' Education Agenda Press Release
(includes link to speech) (11/21/02)
<http://edwards.senate.gov/press/2002/1121b-pr.html>

4. Department of Education Inspector General To Evaluate States' Goals Under the Perkins Act

The Department of Education's Office of the Inspector General has announced that it plans to commence performance audits of states' compliance levels with the Carl D. Perkins Vocational and Technical Education Act sometime next year.

The Inspector General plans to measure how well aligned Perkins-funded activities are with state workforce investment programs, and to evaluate whether states are meeting their own state-mandated vocational education performance standards.

Since the Perkins Act was reauthorized in 1998, there has yet to be any policing of this type done at the federal level to ensure that Perkins state performance measures are being met.

If you would like to review the "Office of Inspector General FY 2003 Work Plan," visit www.ed.gov/offices/OIG/misc/wp2003.pdf

5. New Guide For FY03 Programs Issued by National Science Foundation

The National Science Foundation has released its fiscal year 2003 comprehensive compilation of funding opportunities for research and education in science, mathematics, engineering and technology.

To view the guide, visit www.nsf.gov .