

The Education Report

A weekly report of public policy issues in American Education from

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Appropriations Update

The House and Senate both agreed to their 302(b) allocations this week. On Monday, House Appropriations Chairman C.W. Young (R-FL) released a \$759.1 billion total allocation to provide for the 13 subcommittees under his jurisdiction. Within that total is \$129.9 billion for the Labor/HHS/Education spending bill. This number is exactly what the President requested earlier this year. Don't expect this bill to move expeditiously, rumor has it that the House will wait until September before completing consideration of this bill.

On Thursday, Senate Appropriations Chairman Robert Byrd (D-WV) unveiled discretionary spending figures for all 13 subcommittees under his jurisdiction. Out of the total \$770.29 billion figure, \$134.29 billion is being allocated to the Labor/HHS/Education spending bill. The Senate is planning on moving the Labor/HHS/Education bill by the third week of July. This is a departure from general Senate point of order policy, and may be a weapon Byrd is using to make the House look bad.

Supreme Court Upholds School Voucher Program

On June 27th, the Supreme Court ruled in a 5-4 decision that a Cleveland, Ohio program to give parents education stipends if they chose to take their child out of the Cleveland public school system is constitutional. Cleveland schools are rated some of the worst in the nation. In Chief Justice William Rehnquist's opinion, he said that the vouchers do not use state funds to sponsor religious education even though approximately 95% of the vouchers go to religiously affiliated schools. Parents have the choice of sending their children to both secular and religious private schools, as well as charter schools and other suburban schools. In the dissent, Justice David Souter said that virtually all of the Cleveland area suburban public schools, charter schools and secular private schools have decided not to accept voucher students; therefore the parents' options are limited to religious affiliated schools.

Chairman of the House Education & the Workforce Committee John Boehner (R-OH) said that the decision "is a victory not only for low-income parents and students, but for American education as well." He added, "the greatest threat to America's underachieving schools is that they will be forced to operate under the same low

expectations they've been subject to for decades. We can't demand the best from our children if we aren't willing to demand the best from our schools. The decision should encourage state lawmakers around the country to create new school choice programs that offer renewed hope for every parent who wants the best education for their child."

President Bush, Department of Education Secretary Rod Paige and many Republicans in both houses of Congress support the Supreme Court's decision.

National Education Association President Bob Chase issued a statement against the decision and vouchers in general saying, "Just because vouchers may be legal in some circumstances doesn't make them a good idea." Chase warned "Make no mistake, vouchers are not reform."

Department of Education Warns of Strict Enforcement of No Child Left Behind

The Department of Education's assistant Secretary for K-12 education Susan Neuman said, "We're serious. We're very serious" with regards to enforcement of the No Child Left Behind Act. Many cite the lack of enforcement as one of the major barriers to full implementation of the 1994 Elementary and Secondary Education Act (ESEA).

At the Council of Chief State School Officers' (CCSSO) conference, Neuman clarified some regulations on norm- and criterion-referenced tests. She said that the Department policy is preference for criterion-referenced or standards-based tests. States should add state standard-based questions if they use norm-referenced tests. The most important aspect of the assessments is that states use the same type of tests to generate easily comparable data.

Senate HELP Committee Holds Hearing on OERI

On Tuesday, June 25, 2002 the Committee on Health, Education, Labor and Pensions (HELP) held a hearing on the Reauthorization of the Office of Education Research and Improvement.

Senator Kennedy (D-MA), chair of the HELP Committee, praised the new requirements of the No Child Left Behind Act that call for the investment of federal dollars in "proven programs" based on "sound science." This new standard strengthens the importance of quality research for educators throughout the nation. He views the major challenge to the Committee in reauthorizing OERI to "make it an invaluable resource for quality education in America". Kennedy praised Assistant Secretary Whitehurst for his leadership and assistance.

According to Kennedy, the need for quality research extends beyond K-12, into the realm of lifelong learning. As a nation Kennedy said we "need to understand the practices and structures that promote improved teaching and learning". In order to accomplish these

goals, OERI will need more resources to implement the important findings that this research will provide. He believes the Administration has an "unparalleled opportunity" to build on the requirements of NCLB and provide the knowledge and guidance educators need to promote greater academic success among all learners. The Committee wants to help with this enormous task. In his view, OERI should stand on par with the National Science Foundation and the National Institutes of Health in stature and importance to the education community.

Whitehurst encouraged the Committee to move quickly with a reauthorization proposal- the current statute expired in 1999 and the absence of a revised law makes management of the agency both uncertain and difficult. Whitehurst summarized the most pressing problems facing OERI as follows:

- 1.) Administrative structure- poorly funded NIH-like institutes don't work; too inflexible for an agency that should be able to respond to emerging issues.
- 2.) Lack of a scientific culture---need the authority to hire outside the civil service; goal to "build a scientific culture of scientists to rotate in and out of the agency"
- 3.) Lack of stable leadership- need to promote continuity, ease regulatory burden and make OERI operate more like NSF or NIH
- 4.) Separate research from program delivery and technical assistance; non-partisan evaluation is non possible within the same agency that implements or delivers the programs
- 5.) More funding-OERI is not broken it is broke

The second panel of witnesses included Dr. Michael Nettles, VP of the National Assessment Governing Board; LaMar Miller, Executive Director, Metro Center for Urban Education at NYU; and Fay Taylor, Commissioner of Education in the State of Tennessee. Dr. Nettles testimony focused on the importance of public confidence in the data collection mandated by the NCLB Act as key to its success as a vehicle for education reform: Dr. Miller emphasized the important role of technical assistance provided by Comprehensive Centers assisting high-poverty, low-performing school; and Fay ---summarized the goals of a reauthorized education research agency as improving the confidence of the public in the integrity of education research; strengthening the overall quality of the research; and making research findings more useful to teachers and schools. The hearing ended without opportunity for questions by the Members present.

The complete testimony of these witnesses will be available on-line through the Health, Education, Labor and Pensions Committee website at: <http://labor.senate.gov/>

Senate Subcommittee on Children and Families Holds Hearing on Instructional Materials Accessibility Act

On June 28th, Senator Chris Dodd (D-CT) chaired a hearing about the Instructional Materials Accessibility Act (IMAA), S. 2246. Witnesses at the hearing were Pat Schroeder, President and CEO of the Association of American Publishers and former

Member of Congress; Jessie Kirchner, a senior at Guilford High School in Guilford, Connecticut; Dr. Mark Maurer, President of the National Federation of the Blind; and Barbara McCarthy, Director of the Library Resource Center of Virginia's Department for the Blind and Visually Impaired.

Senator Dodd noted that while the ADA and IDEA call for access to education for all people with disabilities, too often textbooks are not available in alternative formats in a timely fashion. While 26 states have laws requiring publishers to provide textbooks in electronic formats, there is no uniformity to those formats. S. 2246 requires one uniform file format to ease the burden on publishers and on the conversion process. It creates a National Instructional Materials Access Center where all school systems can access electronic versions of textbooks and provides funds to school systems to support the conversion of files into Braille.

Sen. Dodd noted that Rep. Tom Petri (R-WI) and George Miller (D-CA) have introduced the bill in the House. Sen. Dodd would like to see the bill enacted into law before the end of the year.

Pat Schroeder testified that the publishers wholeheartedly support this bill and hope it will be enacted this year. She noted it would go along way to address the chaotic, costly and ineffective process that goes on now in trying to provide texts to students in alternative formats.

Sen. Dodd noted that of the 94,000 K-12 school children who are visually impaired, only 5,000 use Braille. Witnesses said that knowledge of Braille correlates highly with the employment rate of blind people. While the employment rate of all blind people is 32%, it is 90% for those who use Braille.

For more information, visit the committee's website at: <http://labor.senate.gov/>

Alabama, Colorado and Florida Receive First Reading First Grants

On June 25th, Secretary of Education Rod Paige announced that Alabama, Colorado and Florida are the first three states to receive Reading First grants from the No Child left Behind Act. The three states' applications were considered "excellent" by the grant panel, which judges each application on 25 criteria. The funds will be made available to the states on July 1st; states are then allowed to begin the competitive subgrant process for the dispersal of the funds to local education agencies.

Alabama will receive \$15.5 million for the first year of the program and \$102 million over the next six years, subject to successful implementation and adequate appropriations. Colorado will receive \$9 million for the first year of the program and \$59 million over six years. Florida will receive \$45.6 million in the first year and \$300 million over the next six years.

All of the programs include provisions for increased professional development, aid in applying scientifically based research and increased assessment tools.

More information on the specifics of the state plans can be viewed at the following addresses:

Alabama: <http://www.ed.gov/PressReleases/06-2002/alabama.pdf>

Colorado: <http://www.ed.gov/PressReleases/06-2002/colorado.pdf>

Florida: <http://www.ed.gov/PressReleases/06-2002/florida.pdf>

Report on Geography Proficiency Released

The National Council for Education Statistics (NCES) has released a report detailing geography test scores from the National Assessment of Educational Progress (NAEP). Department of Education Secretary Rod Paige commented on the report stating “Geography not only helps students explore the world’s people and civilizations across time, it also helps them understand the complexities of the world we live in today.” The report documented improved test scores for fourth and eighth graders. The Secretary noted that the report found a decrease in the discrepancy in test scores between African American fourth graders and white fourth graders. However, only 25 percent of high school seniors demonstrated proficiency in geography.

For more information on the report, visit:

<http://nces.ed.gov/nationsreportcard/geography/results/raceethnicity.asp>

Vice President Dick Cheney Honors Presidential Scholars

On June 25th, Iowa State Senator Mary Kramer, Secretary of Education Rod Paige and Vice President Dick Cheney honored the 2002 Presidential Scholars. The Vice President honored “the best and brightest of our generation” along with the parents, family members and teachers that helped the winners achieve academic and/or artistic success. The Vice President vowed to win the war on terrorism so that all children will learn in a peaceful democracy.

The Presidential Scholars Program was created in 1964 to honor the academic achievements of graduating high school seniors. The program selects 121 academic scholars (as pre-screened by their SAT or ACT scores) and 20 high school seniors with superior artistic abilities to receive awards.

For more information on the program, visit:

<http://www.ed.gov/offices/OIIA/Recognition/PSP/>

Pledge of Allegiance Ruling Sparks Stiff Criticism from Political Leaders

Wednesday's 9th Circuit Court of Appeals ruling that reciting the Pledge of Allegiance in public schools is unconstitutional because of the "under God" phrase, which is an implicit endorsement of monotheism. This seemingly violates the separation between church and state. The court said "to recite the Pledge is not to describe the United States instead it is to swear allegiance to the values for which the flag stands: unity, indivisibility, liberty, justice and – since 1954 – monotheism. Of the three circuit judges, Circuit Judge Fredinand Fernandez partially dissented stating "under God" is an endorsement of religion only for those who "most fervently would like to drive all tincture of religion out of the public life." The case stems from an atheist father who brought suit against the Elk Grove public school system in California.

The decision has sparked harsh words from government officials. The Senate passed a resolution 99-0 "expressing support for the Pledge of Allegiance." Ari Fleischer on behalf of President Bush said the decision was "ridiculous." Senator Charles Grassley (R-IA) called the ruling "crazy" and "outrageous" and added "the decision is so much out of the mainstream of thinking of Americans and the culture and values we hold in America, that any Congressman that voted to take it (under God) out would be putting his tenure in Congress in jeopardy at the next election."

Chairman of the House Committee on Education and the Workforce John Boehner (R-OH) released a statement calling the decision "not only horribly misguided, it is horribly ill-timed as well" in reference to calls for national unity after September 11th. Chairman Boehner said the decision "provides them (school children) with a great lesson on government – and just how foolish it can be at times."

Secretary of Education Rod Paige released a statement on the ruling stating "While I am confident this opinion will be overturned, it is more than a little disturbing that our nation's Constitution could be read this way. It stretches the First Amendment beyond credulity, and it places the opinion of unelected judges above the plain meaning of the Constitution and the nation's history, let alone common sense."

Report Finds that Students are Most Frequent Source of Tech Support

A recent study by the National School Boards Foundation entitled "Are We There Yet?" found that in 43 percent of school districts surveyed, students take the lead in implementing and maintaining school technology initiatives. In 39 percent of school districts, students were responsible for setting up new technology and even physically wiring computer networks.

The report also examines statistics concerning student technology training, technology equity, teacher competence in using the internet and funding issues.

For more information on the report, visit: www.nsb.org

107th CONGRESS, 2nd SESSION

TENTATIVE SENATE CALENDAR 2002/ NON-LEGISLATIVE PERIODS

Tom Daschle, Majority Leader

July 1 – 5	Senate not in session
July 4	<i>Independence Day</i>
July 8 (Mon.)	Senate reconvenes
August 5 - September 2	Senate not in session (August Recess)
September 2	<i>Labor Day</i>
September 3 (Tues.)	Senate reconvenes
September 16 (Mon.)	Yom Kippur (NO VOTES)
October 4	Target adjournment