

The Education Report

A weekly report of public policy issues in American Education from

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December 6, 2002

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1. Spending Bills First Order of Business for 108th Congress

The cold and snow that blanketed Washington this week was a chilling reminder of the difficult decisions that await the 108th Congress when it convenes in early January. The first order of business will be redrafting and marking up unfinished spending bills for FY 2003. The redrafting will reflect a reduction in spending of approximately \$15 billion across the many agencies of government that have been operating on an extension of last year's funding—known as a continuing resolution. It is a reduction that reflects the original budget request from President Bush that Senate Democrats had rejected and House Republican moderates had similarly put the brakes on. The strengthened Republican majority in the House, in partnership with the new Republican majority in the Senate have now decided to accept the President's recommended spending plan and are prepared to write the corresponding legislation for enactment.

On January 10th the Senate Appropriations Committee will meet to mark-up all remaining spending bills. For Labor, Health and Human Services, the new bill will be \$3 billion lighter than the bill previously adopted by the Committee. The bulk of those cuts are likely to come from a few programs targeted for large increases by the President—Title I, IDEA and Pell Grants. The bills will move quickly from Committee to the Senate floor where serious debate is likely to take place and the outcome remains uncertain. Though the Republicans have the clear majority in the Committee structure, the tight margins between Republicans and Democrats still make passage of legislation a very difficult business.

The House at this time does not appear ready to hold similar mark-ups, but will instead wait for Senate floor action and be prepared to conference the Senate passed legislation. According to staff, the hope is that all spending decisions for FY 2003 will be complete prior to the President's State of the Union address on January 28th—the opening move in the FY 2004 budget debate.

2. Governors Point Finger at Federal Government Amid Fiscal Crises

With the vast majority of states facing their worst fiscal crises since World War II, the nation's governors are more frequently and more vocally placing the blame squarely on the shoulders of Capitol Hill. Pointing to tax cuts in the billions of dollars and the new spending mandates like the expansive and expensive No Child Left Behind Act, whose financial burden Congress has placed largely on the states, governors from both political parties are demanding that the federal government help cover the cost of the mandated expenditures.

This past Monday in North Carolina, a group of governors met with Education Secretary Rod Paige to insist that the federal government provide states with the adequate funds to cover the recently enacted No Child Left Behind Act. President Bush's landmark legislation proposes \$28 billion should be spent to improve teacher quality, enforce accountability, and improve the curriculum. Unfortunately for the states, Bush only requested \$22 billion in his budget, and due to the stalemate over the appropriations during this session of Congress, funding has not yet been approved.

Nationally, governors and state legislatures are faced with budget shortfalls totaling \$67 billion.

3. Briefing on Final Regulations for NCLB

On Tuesday, December 3, 2003 the Department of Education held a briefing to discuss the release of final regulations implementing the provisions of the No Child Left Behind Act, which was signed into law by President Bush on January 8, 2002. The meeting was convened by Secretary Paige who made brief remarks about the hard work that had been required of the Department to meet the implementation timetable of the new law. He expressed optimism that with rigorous implementation, the goals of this landmark legislation would be realized.

The second speaker was Deputy Secretary Hanson who reiterated how hard Department staff had worked and complimented Undersecretary Hickok, also seated at the podium, on his leadership regarding the implementation guidance and schedule. Undersecretary Hickok next took the microphone and announced that the purpose of the briefing was to "listen as much as talk" to those in attendance. He too praised his staff and described in great detail the number of meetings, seminars, conferences, phone calls, etc. that the Department had held collectively with school districts throughout the nation to put the regulations into place and to assist with their interpretation. He said that the next phase—monitoring of compliance—would begin almost immediately. The adequate yearly progress plans are due from the states at the end of January. After that time, visits to the

states to confirm the details of these plans will begin. Again, his emphasis was not on what people might be doing wrong, but rather on how they could improve and implement the law more effectively.

Hickok spoke at length about 2 regulations that required further consultation and negotiation within the Department. The first issue was the cap on the percentage of special education students who would be allowed to meet alternate achievement standards. Hickok believes more work needs to be done in the area of alternative assessments. He said further guidance to states on this issue is likely to be presented during the debate on IDEA. A second issue requiring further study relates to highly qualified special education teachers. He said this issue would also be addressed as part of IDEA. The options include an amended regulation, according to Hickok, however that is unlikely.

In response to a question about alternative certification Hickok reiterated the Administration's position, that because of shortages they did not want to implement regulations that would impede school districts ability to fill classrooms. In their view, alternative routes to certification are perfectly acceptable, as long as these individuals are receiving high quality professional training on a continuous basis. On the topic of public school choice, he stated that the Department did not want schools to be able to just say no to requests from families to move from a low performing school to a more successful school on the basis of over crowding. Therefore, the regulations say that schools must "increase capacity to accommodate choice"-that means larger class sizes or hiring more teachers. He emphasized the importance of speeding up the timeline on implementation of both public school choice and offering supplemental services. Even if test results become available after the beginning of the school year, these options should be made available immediately.

In response to a question regarding the challenges facing small, rural districts, Hickok said more information would be forthcoming in short order. He also noted that beyond the test reporting requirements of AYP, schools would be required to report graduation rates to the Department of Education. And as to the requirement that supplemental service providers serve students with special education needs, Hickok said that all providers did not need to meet this standard. Rather, on the list of approved providers of supplemental services, a certain number must be prepared to accept students in need of special education.

4. Forthcoming Research Project to Compare Six Reading-Intervention Strategies

The plans for a major research project that will examine the effectiveness of remedial programs for 3rd and 5th graders who struggle with reading have been formally announced. The study, entitled Power4Kids, will follow and comparatively analyze the progress of more than 4,300 students over the course of the next three years. The research team will track the academic records of students in six randomly selected communities already participating in one of six commercial reading programs in order to determine which, if any, of the reading programs are effectively closing the achievement gap in those communities.

The study is one of the largest studies ever to examine the impact of specific reading programs in the later elementary school grades. It has been praised for its depth and rigorous scientific design. The study has largely been underwritten by the Haan Foundation for Children of San Francisco, and the research itself is being directed by Dr. Joseph Torgesen, the director of the Florida Center for Reading Research at Florida State University.