

**SUCCESSFUL IMPLEMENTATION OF TITLE I:
STATE AND LOCAL PERSPECTIVES**

HEARING

BEFORE THE

**COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS
UNITED STATES SENATE**

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

ON

EXAMINING STATE AND COMMUNITY PERSPECTIVES OF THE IMPLEMENTATION OF TITLE I OF H.R. 1, TO CLOSE THE ACHIEVEMENT GAP WITH ACCOUNTABILITY, FLEXIBILITY, AND CHOICE, SO THAT NO CHILD IS LEFT BEHIND

—————
SEPTEMBER 10, 2002
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Printed for the use of the Committee on Health, Education, Labor, and Pensions



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SUCCESSFUL IMPLEMENTATION OF TITLE I: STATE AND LOCAL PERSPECTIVES

TUESDAY, SEPTEMBER 10, 2002

U.S. SENATE,
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Washington, DC

The committee met, pursuant to notice, at 10 a.m., in room SD-430, Dirksen Senate Office Building, Hon. Edward M. Kennedy (chairman of the committee) presiding.

Present: Senators Kennedy, Jeffords, and Bingaman.

OPENING STATEMENT OF SENATOR KENNEDY

The CHAIRMAN. We have a vote at half past 10, sort of a new tradition around here, unfortunately. We used to always vote in the afternoon, but now, sometimes and too often, we are voting in the morning, which interrupts our hearings, but nonetheless we will follow the Senate procedures and move ahead with our hearing this morning. We will be joined shortly by a number of our colleagues.

Today we continue our series of oversight hearings on the implementation of the No Child Left Behind Act, signed into law in January. Our hearing today focuses on the implementation of the largest program in that law, Title I.

Title I is the foundation of our Federal education law for elementary and secondary education. It provides funding to help students and teachers in schools that are falling behind. Title I embodies our commitment as a Nation to provide all Americans with an equal shot at the American dream.

But today that commitment is in jeopardy. The Administration's education budget puts a quality education out of reach for millions of our school children and college students. It shortchanges Title I, but it also does nothing to help schools achieve smaller class sizes and train quality teachers, and it adds not one dollar to the Pell grants just as young Americans are facing double-digit increases in college tuition.

Good schools and good teachers are every bit as important to the future strength of our country as a strong defense. So today, Congressman George Miller and I will send a letter to the President, urging him to respond to the crisis in education that is gripping our country. We believe his education budget is inadequate to today's challenges. But even since it was submitted, State budget crises have forced over \$10 billion in cuts in education.

Budgets are tight, but somehow, the Administration has found billions of dollars in its budget for private school voucher schemes

when those scarce dollars should be invested in our public schools, where 90 percent of our students attend school each day.

Today's hearing focuses on the implementation of the reforms of Title I enacted earlier this year.

We welcome our distinguished panelists today and look forward to learning about their plans to successfully implement the new Title I, the challenges they face, and how the Administration and Congress can help them overcome those challenges.

Our panel includes Belle Wheelan, who is the Virginia Secretary of Education. Prior to her appointment, Dr. Wheelan served as president of the Northern Virginia Community College, the second-largest community college in the Nation. She has 18 years of administrative experience at various community colleges throughout the State of Virginia. She is a highly respected member of the education field, and I am very pleased to have her here and look forward to her testimony on implementing Title I in Virginia.

We would like to welcome Dr. William Moloney, the Colorado Commissioner of Education and Secretary of the Colorado State Board of Education. Dr. Moloney has previous experience as a teacher, assistant principal, principal, headmaster, assistant superintendent, and superintendent in States across the Northeast. Dr. Moloney has also served three terms on the National Assessment Governing Board. We are pleased to welcome Dr. Moloney today and look forward to his testimony.

We would like to welcome Michael Casserly, who is executive director of the Council of the Great City Schools. For over 20 years, Mr. Casserly has been an active crusader for the urban public schools of our Nation's largest cities. As executive director of the Council of the Great City Schools, Mr. Casserly heads the only national organization to exclusively represent such schools. Dr. Casserly also has extensive research background, having created the first ever report card on urban school quality and national urban education goals. We are pleased to have him here today and look forward to his testimony on the implementation of ESEA from a district perspective.

We also want to welcome Wanda Gaddis, who is the parent of a first grade daughter who attends public school here in Washington, DC. Education reform will not be successful without the input and help of parents across the country. I look forward to Ms. Gaddis' testimony on how we can best implement the No Child Left Behind Act from a parent's perspective. We have many provisions in the legislation to include parents, and we want to find out how those provisions are being implemented.

So we look forward to the testimony, and I will ask Ms. Wheelan if she would be good enough to start.

[The prepared statement of Senator Kennedy follows:]

PREPARED STATEMENT OF SENATOR EDWARD M. KENNEDY

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Today's hearing focuses on the implementation of the reforms to Title I enacted earlier this year.

Over the years, we have taken steps to improve the effectiveness of Title I, and in 1965, the first year of the Title I program, Title I was essentially a block grant. After 4 years of implementation, Title I block grant funds were not helping the neediest students get a better education. A 1969 report found widespread abuse of the Title I block grants, including:

- Communities had used Title I block grants for swimming pools in Memphis, Tennessee, band uniforms in Oxford, Mississippi, and football uniforms in Macon County, Alabama; and
- In Louisiana and California, funds were spent on schools that were ineligible for Title I because they did not have high numbers of poor children.

We've come a long way since then. Title I is successfully helping the neediest children across the country get a good education. In Broward County, Florida, reading scores for 4th graders went up by 25 points from 1999 to 2000. Last year, Sacramento, California improved its reading and math performance on the statewide test in every grade. And, I'm certain we will hear of more successes today.

Building on those successes, we made a bipartisan commitment last year to ensure that not some, but all students were part of this success. We did this by increasing accountability through rigorous annual goals for improving achievement, ensuring a qualified teacher in every classroom, and providing increased resources for programs that work.

In August, the Administration released draft regulations for Title I, and they are working to finalize those so that states, districts, teachers, and parents will have a clearer sense of what is expected of them under the new law. I hope that the final regulations will protect the rights of teachers as workers, will uphold the law with reasonable public school choice provisions, and will ensure that supplemental service providers are held to a standard of quality and that they must serve all children.

But in the end, schools cannot fulfill the promise of this new law if they do not have the resources to meet these goals. I hope that the Administration will work with us to increase funding for education this year. With more requirements to meet, more progress to achieve, and increased State and local budget shortfalls, schools and teachers need more Federal resources to make this law a success.

The Administration has proposed the smallest education budget increase in 7 years. Less than 2 months after passage of the No Child Left Behind Act, the Administration proposed a budget that is \$7 billion less than the amount promised in that legislation and cuts funding for school reform.

Under Title I alone, 6 million children will be left behind. In other programs, 33,000 fewer students will be served in after-school programs. 25,000 limited English proficient children will be cut from Federal bilingual education programs. 18,000 fewer teachers will be trained.

The growing State and local budget crisis borne of the down-turned economy has led to dramatic cuts in neighborhood schools across the country.

- This Fall, over 100 rural school districts in South Dakota, Louisiana, Oregon, Colorado, New Mexico, and Wyoming will cut from 5-day to 4-day school weeks.
- Schools in Barnstable, Massachusetts, are charging fees in the hundreds of dollars for busing, for all day kindergarten, and for music education.
- In Centennial, Minnesota, we are told that class sizes will increase to 29 and 30 students per teacher to cope with budget shortfalls.

Now, despite increased public education challenges, inadequate Federal support, and greater public school needs, the Administration presses anew for private school

vouchers. This week, the House Republican leadership plans to bring to the floor a tax package that diverts \$4 billion in funds to private school vouchers.

We should reject the private school voucher plans and increase funding for public schools that educate 90 percent of the children in this nation, so that we help ensure that no child is left behind.

Every dollar in subsidies to private school vouchers means a dollar less for public schools. \$4 billion in vouchers could instead be used to:

- Upgrade the skills of 1 million teachers;
- Provide 5.2 million more children with after-school learning opportunities; or
- Provide specialized instruction to over 2 million poor children currently left behind.

We welcome our distinguished panelists today, and we look forward to learning about their plans to successfully implement the new Title I, the challenges they face, and how the Administration and Congress can help them overcome those challenges.

STATEMENT OF BELLE S. WHEELAN, SECRETARY OF EDUCATION, COMMONWEALTH OF VIRGINIA

Ms. WHEELAN. Thank you, Senator Kennedy, and good morning.

It is an honor to join you to discuss the Commonwealth of Virginia's implementation of the No Child Left Behind Act of 2001.

Academic success for all our students is one of Governor Mark Warner's top priorities, and the Commonwealth supports the goals of the No Child Left Behind Act. Virginia has had an accountability system in place for a number of years and is experiencing success in raising student achievement.

We are particularly pleased with the success we are seeing in some of our most challenging schools. Over the months since its passage, we have worked continually to address its major requirements and to plan for the achievement of its goals.

Four key issues are being addressed that I would like to discuss this morning. First is the provision of public school choice and supplemental services; second, assistance to Title I schools identified as needing improvement; third, development of "highly-qualified" teachers; and fourth, establishing and achieving adequate yearly progress in academics for schools and school divisions.

Based on Virginia's Standards of Learning test administered during the 2000–2001 school year, 7 percent of Virginia's 1,800 public schools currently are accredited with warning in one or more subjects. Virginia has 34 Title I schools in 9 of our 132 school divisions identified as needing improvement under No Child Left Behind and thus required to implement public school choice this school year. Four of these schools are in three rural divisions. The rest are in urban divisions. They are all implementing plans to provide public school choice to parents.

In July, the Virginia Board of Education adopted final guidelines for school divisions to follow in the provision of choice. These guidelines reflect the law's requirements and also require school divisions to follow and document best efforts procedures, including exploring scheduling and staffing alternatives for potential receiving schools and establishing cooperative agreements with neighboring school divisions.

Letters, meetings, and radio and television announcements are being used to notify parents of public school choice options, and we will know by the end of the month how many parents have taken advantage of the option.

There are challenges to providing public school choice, and capacity is among the most significant. In some of our urban divisions with schools in improvement, potential receiving schools are limited, or there are no qualified receiving schools at all. In these cases, surrounding school divisions have been contacted, but a lack of sufficient capacity has kept agreements of acceptance from being achieved. Moreover, in rural southwest Virginia, distances between schools within a division can be significant, and the time needed for transportation becomes a barrier to choice. Clearly, flexibility to offer supplemental services and other instructional alternatives is critical when public school choice cannot be provided.

We will be monitoring the implementation of public school choice plans on a monthly basis and will ask for alternative strategies if a school division demonstrates that offering choice is not feasible. While we are making every effort to implement public school choice, we believe it most important to direct our efforts to ensuring that every school in Virginia is a school of choice. To that end, Governor Warner initiated the Partnership for Achieving Successful Schools, known as PASS, to assist low-performing schools.

PASS is a statewide partnership with business and community leaders, State educators, and local school and government officials to boost student achievement in Virginia's lowest academically-performing schools. It will assist more than 100 academically warned schools with a comprehensive plan to marshal community and business support. These schools will receive enhanced services from visiting academic review teams comprised of principals, teachers, and retired educators. Major components of the initiative are onsite assessments and support, hands-on training in strategies to address weaknesses, and peer partnerships between high-poverty and high-performing schools, staff and colleagues facing the same challenges.

All the schools needing improvement are high-poverty. An important component of the PASS academic assistance teams is that the members come from schools with similar demographics that are achieving academic success. For example, in one of the partner middle schools in an urban area, the passing rate on the States's Standards of Learning Algebra I test rose from 20 percent to 100 percent in 3 years. In a rural partner elementary school, the passing rate in the grade 3 mathematics test rose from 23 percent to 100 percent. The issue is not that children cannot learn. We simply need to apply the best strategies and resources to teach them.

PASS schools are being provided assistance that goes beyond just dollars, but financial resources are critical. All PASS schools would benefit from the intense, onsite technical assistance teams that we currently are only able to provide to a few of our lowest-performing schools. Additional Federal assistance would help the Commonwealth expand this initiative to additional schools.

We fully support the Act's requirement of having a "highly-qualified" teacher in every classroom in a core academic rouse. In Virginia, a highly-qualified teacher is defined as one who is fully licensed by the State and teaching in his or her area of endorsement. This month, the Board of Education will initiate the review of regulatory and policy actions necessary to meet the goal of all teachers being highly-qualified by 2005–2006.

A threshold challenge in achieving this is the need to identify with accuracy the number of highly-qualified teachers who are currently in the classrooms and the types of professional data being offered them. We are working to put in place State and local data collection and verification systems to accomplish this. However, it is a difficult process that will require additional resources and as much as a year to complete. However, we recognize that a realistic plan for raising the numbers of highly-qualified teachers is dependent upon hard data.

Another challenge is the strategic use of resources available for the retention, recruitment, preparation, and professional development of teachers. Over the past year, we have been taking a comprehensive look at strategies to ensure the recruitment and retention of highly-qualified teachers. Not all solutions are related to money, but additional resources are key in order for us to provide professional development for teachers and principals, both new and existing.

Receipt of Federal Title II funds for highly-qualified teachers and principals is also essential to these efforts. Equally important to school divisions is the flexibility to use these moneys in a variety of ways, from financial incentive for recruitment and placement to training in instructional methods, to professional development in leadership for principals.

We have seen some of our most challenged schools succeed and achieve accreditation through principles that have built their own teams of highly-qualified teachers through joint planning and collaboration. Funding to help develop more principals with these skills will help ensure that we have highly-qualified teachers in each classroom.

Federal financial support is especially critical in light of the current budget shortfalls we are facing at the State level, as well as the pressure on local resources associated with ensuring the best in education for our children.

This fall, we will be reviewing the results of Virginia's Standards of Learning tests from the 2001-2002 school year and determining the starting point and the annual objectives for academic achievement in mathematics and English required under the adequate yearly progress provisions of the law. In November and December, we anticipate a public discussion of recommendations by the Board of Education, with formal adoption of adequate yearly progress objectives by January. As a State with an established accountability system for schools, we encourage flexibility in the implementation of this aspect of the Act as we work through the details.

We fully support the law's requirement to measure academic achievement beyond school divisions and schools as a whole to groups of students who are disadvantaged, who are minorities, who have limited English proficiency, or who have disabilities. At the same time, there are particular challenges to ensuring that these students make academic objectives, and additional resources are needed to ensure that success. For example, through research and experience in some of our classrooms, we know that smaller class sizes in the early grades benefit disadvantaged and limited English-proficient students. However, reduction of class size requires more teachers and the construction of more classrooms.

Moreover, while we support the Individuals with Disabilities Education Act's mandate that schools provide tailored educational programs to all children with disabilities, the lack of sufficient resources has made it difficult for schools to meet the needs of children with special physical, emotional, and developmental needs. As a result, local school districts have scrambled for decades to find ways to fund these specialized educational services. More often than not, resources are pulled from other instructional programs, and therefore, funding for all students is lessened in order to meet IDEA requirements.

With State and local revenues declining, it is more critical than ever that the Federal Government fully fund IDEA to meet the 40 percent commitment that was established when it was passed in 1975. This will better enable States and local school divisions to meet the requirements of the No Child Left Behind legislation.

I appreciate the opportunity to provide this information today. This Act provides the opportunity to further our ongoing efforts to raise the level of achievement for all students throughout the Commonwealth, and we look forward to a continued partnership with the Federal Government.

The CHAIRMAN. That was very helpful. We'll have questions in just a few minutes.

Dr. Moloney?

**STATEMENT OF WILLIAM J. MOLONEY, COMMISSIONER OF
EDUCATION, COLORADO DEPARTMENT OF EDUCATION,
DENVER, CO**

Mr. MOLONEY. Mr. Chairman, good morning, and thank you for the opportunity to testify regarding the implementation of the most important piece of Federal education legislation to come forth in over a generation.

I was in this city in 1965, present at the creation of the Elementary and Secondary Education Act. I well recall the shining idealism and buoyant optimism that attended that hour.

For the last 27 years, in circumstances rural, suburban, urban, and statewide, I have been an administrator responsible for the implementation of that Act. In Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, and now Colorado, I have sought to realize the great promise we saw 37 years ago.

Compared to the several earlier reauthorizations of ESEA, what the Congress, by overwhelming vote, delivered to the American people in January is a thing dramatically and importantly different. Though obvious similarities of structure and purpose remain, H.R. 1 marks a striking change in the character and culture of Federal education legislation. Its unambiguous insistence on results marked a historic shift from a climate of process and entitlement to one of stark accountability for the well-being of all children.

The very real concerns you are hearing about implementation are eloquent testimony to the startling sea change which you have ordained. We must be sensitive to those concerns. As I must be sensitive to the voices that come from Colorado's 178 school districts, so must my 49 counterparts do the same in their States.

What is vitally important is that we are responsive to those concerns in a manner that is appropriate but not in a fashion that can in any way undermine the firm purpose that you defined or the depth of commitment that we all must maintain if we are to make the most of the historic opportunity before us.

Let me speak of Colorado. I believe we are among those States that seem to be coping fairly well with the task. This is not because of any innate cleverness on our part, but rather, over the last decade, Colorado has been pursuing education reform goals very much in tune with those goals defined in H.R. 1.

In the attachments to my testimony, and I am sure in the questions that you will want to ask, you will find explication of how Colorado has been able to move forward regarding issues of choice, supplemental services, and adequate yearly progress. In all of these areas, as well as others, the door to these goals had been opened several years ago through State legislation and our efforts to fulfill it.

In working with our districts, we find that many of them have been moving forward on these goals for several years, while others have not. While we properly commend the front runners, we also recognize an obligation to reach out the hand of encouragement and support to those who have further to go.

In much the same way, the U.S. Department of Education is conducting 50 separate conversations with the States of our Union and has shown commendable probity and sensitivity in doing so.

Most properly, they have maintained a strict insistence on those unambiguous goals that you have set down in the legislation, but at the same time, they have signaled their willingness to be flexible and to work closely with all States in regards to the means of implementation.

Nowhere has this indispensable balance been better articulated than in the message of Secretary Rod Paige. Speaking with the moral clarity and conviction that a mission of "leaving no child behind" requires, he has clearly acknowledged the extraordinary dimensions of our task and signaled a deep commitment to working closely with us.

We are proud that Colorado districts were among those recognized last week in a White House ceremony by President Bush and Members of Congress. I assure you that the list of schools and districts doing well with this in Colorado will grow steadily, as will be the case all across our great country.

Nonetheless, we would be irresponsible if we did not recognize the great dangers that lie before us. We must know that this great task is no sure thing. We must honestly admit that there are large portions of our population, particularly those of poverty and color, who are frankly very skeptical that our performance will match our promises.

A story illustrates that frustration that we see. Twenty years ago, while an assistant superintendent in Rochester, I was confronted by an angry mother at a parent forum discussing the chronic shortcomings of our city schools. Apparently, my platitudes about how the city was committed to systemic change and how real change takes real time caused her to lose it altogether. I shall never forget how she looked at me, and I am yet haunted by her

understandably heated words: "I can't wait for you to fix your system. My child needs help now."

America cannot afford such an ebbing of confidence in our public school system. This awareness, this apprehension, is what energizes us in Colorado. Two years ago, we established a Coalition to Close the Achievement Gap. Its co-chairs are the highest-ranking officials of the Democratic and Republican parties in our State. We took as our inspiration the words and example of Ron Edmonds, an African American educator who founded the effective school movement. This is what he said: "We can, whenever and wherever we choose to, successfully teach all children whose schooling is of interest to us. We already know more than we need to do that. Whether or not we do it must finally depend on how we feel about the fact that we have not so far."

With such inspiration, our coalition constructed a very brief statement of purpose which includes these words: "If our American democracy is to ensure and prosper, it cannot be as a society that tolerates two systems of education—one of high expectations for the children of the fortunate and one of lesser standards for children of poverty and color. Perhaps for some, there is no crisis in education, but for our most vulnerable children, it is more than a crisis. It is a state of national emergency. We commit to this challenge not just because it is the right thing to do, but because it is nothing less than a moral imperative."

Finally, thank you for this law. You did not call it "some children left behind" or "the usual children left behind" but instead, "no child left behind."

If you stay the course, so shall we. We are Americans. We can do this. We must do this.

Thank you.

The CHAIRMAN. Thank you very much.

[The prepared statement of Mr. Moloney follows:]

PREPARED STATEMENT OF WILLIAM J. MOLONEY, COLORADO COMMISSIONER OF
EDUCATION, COLORADO DEPARTMENT OF EDUCATION

Mr. Chairman, Members of the Committee, good morning and thank you for the opportunity to testify regarding the implementation of the most important piece of Federal education legislation to come forth in over a generation.

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purpose that you defined or the depth of commitment that we all must maintain if we are to make the most of the historic opportunity before us.

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I believe that we are among those states that seem to be coping fairly well with the task which H.R. 1 sets before us.

This is not because of any innate cleverness on our part but rather over the last decade Colorado has been pursuing education reform goals very much in tune with those goals defined by H.R. 1.

Beginning with the Education Reform Act of 1993 signed into law by Governor Roy Romer and culminating in the School Accountability Legislation signed into law by Governor Bill Owens 8 years later, Colorado has been pushing on the envelope that is the status quo. As always happens the status quo pushes back but in the main our conversations have been reasonably civil and we have never lost sight of the fact that the ties that bind us together are infinitely more numerous and important than the issues that occasionally draw us apart.

In the attachments to my testimony and I am sure in the questions that you will want to ask, you will find explication of how Colorado has been able to move forward regarding issues of choice, supplemental services and adequate yearly progress. In all of these areas as well as others, the door to these goals had been opened several years ago through State legislation and our efforts to fulfill it.

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We are very proud that Colorado districts were among those recognized last week in a White House ceremony by President Bush and Members of Congress. I assure you that the list of schools and districts doing well with this in Colorado will grow steadily as will be the case all across our great country.

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A story illustrates that frustration which has grown over the years:

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I shall never forget how she looked at me, and I am yet haunted by her understandably heated words: I can't wait for you to fix your system. My child needs help now!"

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"We can, whenever and wherever we choose to, successfully teach all children whose schooling is of interest to us.

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"If our American democracy is to endure and prosper, it cannot be as a society that tolerates two systems of education—one of high expectation for the children of the fortunate and one of lesser standards for children of poverty and color.

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Thank you.

[Attachments I-V follow:]

ATTACHMENT I:

COLORADO'S IMPLEMENTATION

OF THE

NO CHILD LEFT BEHIND ACT

COLORADO'S IMPLEMENTATION OF THE NO CHILD LEFT BEHIND ACT

The Colorado Department of Education (CDE) is well positioned to begin full implementation of the *No Child Left Behind Act* (NCLB). Staff at CDE recognizes the fact that NCLB has created significant challenges in many states across the country. Many of these challenges may currently exist because major components of the 1994 reauthorization of IASA were not implemented. Because of Colorado's full implementation of the 1994 legislation, the vast majority of the NCLB requirements are already in place and many are already operational. Colorado's Consolidated Federal Programs Application recently submitted for approval to the United States Department of Education builds on the state's rich history of educational reform. To date, these reforms have resulted, for example, in the adoption of:

- A state assessment system approved by the United States Department of Education that is in full compliance with the 1994 Reauthorization of IASA;
- A comprehensive set of academic content standards that exceed federal requirements;
- A system of accreditation that serves as the state's single accountability system for assessing school and school district performance;
- A state legislative mandate that requires all students to be tested in English after three years;
- A system of grant administration for competitive and formula grants that are results based and designed to support CDE's Organizational Commitment to high standards, tough assessments, and rigorous accountability measures through the leveraging of state, local and federal funds;
- A system of charter schools subject to high accountability measures;
- A longstanding system of intra- and inter-district choice;
- A list of supplementary service providers from which parents and students in Title I corrective action schools can choose;
- A CDE grant process that incorporates the eleven components of comprehensive school reform; and
- A statewide initiative to close the achievement gap, to name a few.

These reform initiatives began in 1993 with a legislative mandate for the creation of Colorado's academic content standards followed by the development of a state assessment system linked directly to the academic content standards, the 1993 Colorado Charter Schools Act, the 1998 Colorado Accreditation Act, the 1999 Teacher Performance-Based Education Program, followed by the ongoing development of a data-driven decision-making model requiring the separation of student academic data for all major student sub-groups. This data-driven decision making model is based upon the value-added concept and the tracking of individual students longitudinally.

In addition, Colorado enjoys the benefits of having met the federal requirements to become an Ed-Flex state. Colorado's Ed-Flex application to the United States Department of Education also included a definition of Adequate Yearly Progress (AYP) for Title I schools. The definition of AYP was tied directly to Colorado's final assessment system.

Colorado's Consolidated State Application for funding under the *No Child Left Behind Act* outlines Colorado's efforts to implement a statewide accountability system covering all public schools and students in the state. The application currently pending at the United States Department of Education includes Colorado's definition of Adequate Yearly Progress, a subset of the state

accreditation process that serves as the single accountability system. The definition includes the steps Colorado proposes to implement so that all children will be proficient in reading and mathematics within twelve years so that no child is left behind in any one year. Colorado takes seriously the notion that no child should be left behind. Therefore, Colorado's accreditation system has been designed to follow the progress of individual students so no child will be left behind. To help support this effort, the Colorado Department of Education plans on participating in the "Follow the Leaders Project" sponsored by the Education Leaders Council.

Colorado's proposal for Adequate Yearly Progress is based upon a value-added, longitudinal process that is incorporated into state accreditation, Colorado's single accountability system. This system is designed to ensure accountability for all student sub-groups. Schools and districts are required to document that all students have made at least a year's growth in a year's time. Schools and districts are expected to work with students currently below proficient so that they can make more than a year's growth in a year's time so that the achievement gap will be closed within the twelve-year period required in the *No Child Left Behind Act*. Colorado's proposal sets very specific, annual, measurable objectives for all students to obtain in reading and math. Colorado's definition of AYP reflects the degree to which schools and districts are adding value to each individual student as measured by the Colorado Student Assessment System at certain points in time on an annual basis.

The annual targets for each student sub-group must be met for a school to be deemed as having made Adequate Yearly Progress. This will document the degree to which the school as an institution is adding value to the education of students in reading and math for each required sub-group. Colorado's proposal for AYP supports and supplements its single accountability system based upon a value-added, longitudinal model that will track individual students over time. State accreditation asks districts and schools to document annually the number of students who have made a year's growth in a year's time in multiple content areas with an overarching goal to close the achievement gap. This system of accountability also provides principals and teachers with the individual student data that they need as professionals to alter their educational programs and teaching strategies so that all children will meet the standards over time.

In addition, the state plan shows clearly that all ESEA goals and indicators have been adopted; that Colorado has an effective single accountability system; that Colorado is highly advanced relative to our state's system of standards, assessment, accountability, and parental choice; that Colorado has provided added flexibility to schools and districts through its Ed-Flex authority; and that the definition of Adequate Yearly Progress included in this plan not only meets, but exceeds the federal requirements ensuring that no child will be left behind in Colorado.

We believe that the processes and procedures that have been developed regarding English language acquisition and proficiency are exemplary. The infrastructure to successfully deliver high quality, research-based technical assistance to schools and districts, especially those that are on Title I improvement or corrective action, is currently in place. Technical assistance is routinely delivered through the Colorado Department of Education's regional strategy consisting of eight areas around the state with similar needs. Colorado's *Reading First* application has already been approved for funding as well as its *21st Century Learning Community* grant application. Colorado's goal is high quality in all that we do. The rapid approval of these two grants is a prime example of the quality that CDE is seeking to achieve.

Additionally, significant reform regarding teacher preparation has already been accomplished and continues to evolve. The reforms to Colorado's teacher education programs will help to ensure that fully qualified teachers will staff every classroom. Work is already underway to provide opportunities for all paraprofessionals to become highly qualified as well.

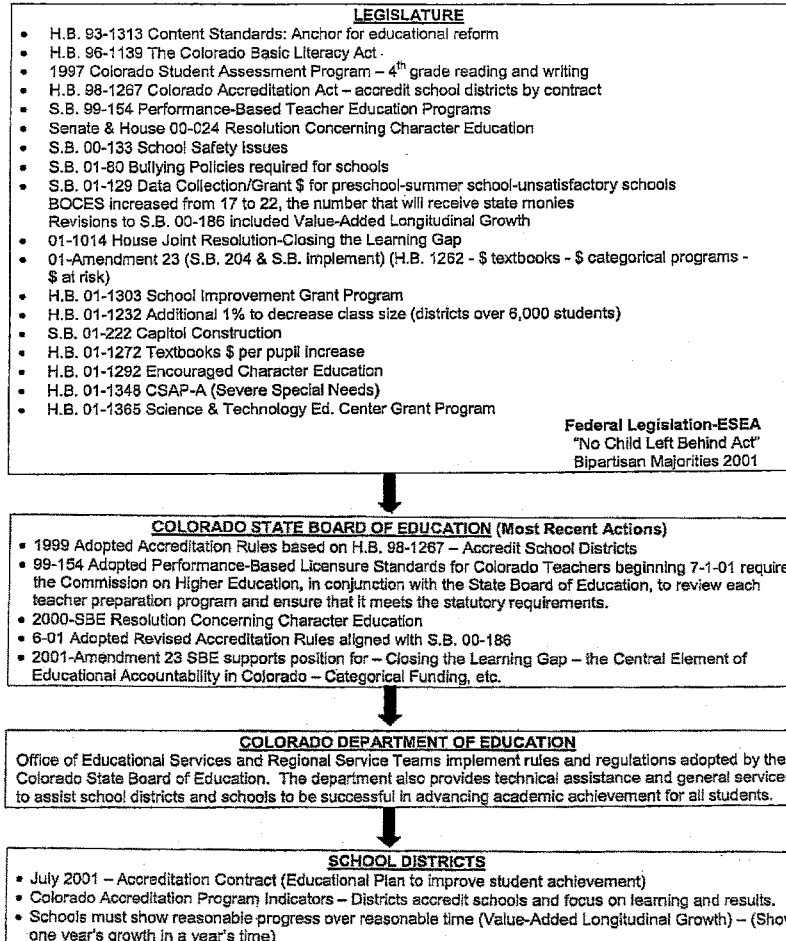
Colorado is very fortunate in that the reform initiatives that began in 1993 regarding the development of standards, assessments, accreditation, and choice are all totally congruent with and aligned to the major themes of the *No Child Left Behind Act*. The Colorado Department of Education staff will be working with key stakeholders over the course of the next year to enhance the state plan and to develop the required annual measurable objectives upon which success will be measured.

CDE recognizes that the programs and processes currently in place, and those proposed in our state plan, will evolve over time and improve. Colorado's education reforms have a long history of supporting strong accountability measures, parent and student choice, and flexibility in exchange for results.

Attachments:

1. Colorado's Historical Educational Reform Movement
2. Program Web Links
3. Alignment of Colorado's Reform Initiatives with NCLB

Colorado's Historical Educational Reform Movement



Program Web Links

Program	Web Link
Accreditation	http://www.cde.state.co.us/index_accredit.htm
Adult Education and Family Literacy	http://www.cde.state.co.us/index_adult.htm
Center for At Risk Education	http://www.cde.state.co.us/cdecare/index.htm
Charter Schools	http://www.cde.state.co.us/index_charter.htm
Closing the Achievement Gap	http://www.cde.state.co.us/cdecare/clg_home.htm
Colorado Assessment Program	http://www.cde.state.co.us/index_assess.htm
Colorado Model Content Standards	http://www.cde.state.co.us/index_stnd.htm
Colorado Title I School Improvement / Choice Grant Program	http://www.cde.state.co.us/cdeunified/ti_choice.htm
Competitive Grants	http://www.cde.state.co.us/index_cga.htm
Comprehensive School Reform	http://www.cde.state.co.us/cdecomp/CSR/index.htm
Education Regions	http://www.cde.state.co.us/index_region.htm
Enhancing Education through Technology	http://www.cde.state.co.us/cdetech/et_e2tw.htm
Educator Licensing	http://www.cde.state.co.us/index_license.htm
English Language Acquisition Unit	http://www.cde.state.co.us/index_english.htm
Even Start Family Literacy Program	http://www.cde.state.co.us/cdecare/evenstart.htm
Safe and Drug Free Schools	http://www.cde.state.co.us/cdeprevention/pi_safedrugfree.htm
Special Education Services	http://www.cde.state.co.us/cdesped/index.htm
State and Federal Grants	http://www.cde.state.co.us/index_funding.htm
State Library	http://www.cde.state.co.us/index_library.htm

Alignment of Colorado's Initiatives with Federal Program Requirements of NCLB

	1	2	3	4	5	6	7	8	9	10	11	12
1. Raise academic achievement	X	X	X	X	X	X	X	X	X	X	X	X
2. Use data to Promote accountability	X	X	X	X	X	X	X	X	X	X	X	X
3. Raise standards of teacher quality	X	X	X	X	X	X	X	X	X	X	X	X
4. Identify best practices and promote a positive school climate	X	X	X	X	X	X	X	X	X	X	X	X
5. Support parent, family, and community involvement	X	X	X	X	X	X	X	X	X	X	X	X

If specific cells under each Title program are not checked, it indicates that there was no statutory language addressing that particular purpose as outlined in column #1.

ATTACHMENT II:

SCHOOL CHOICE REQUIREMENTS

AND

QUESTIONS AND ANSWERS

ON CHOICE

SCHOOL CHOICE REQUIREMENTS

Section 1116(b)(1)(E)

Who must offer choice?

Any school identified for school improvement, corrective action or restructuring.

When must choice be offered?

An LEA shall, not later than the first day of the school year following such identification, provide all students enrolled in the school with the option to transfer to another public school served by the LEA, which may include a public charter school, that has not been identified for school improvement. If all public schools served by the LEA to which a child may transfer are identified for school improvement, corrective action or restructuring, the agency shall, to the extent practicable, establish a cooperative agreement with other LEAs in the area for a transfer.

To whom must choice be offered?

In providing students the option to transfer to another public school, the LEA shall give priority to the lowest achieving children from low-income families.

Notification Requirements

A LEA shall promptly provide to parents of each student enrolled in an elementary school or a secondary school identified for school improvement, corrective action or restructuring an explanation of the parents' option to transfer their child to another public school.

Transportation

The LEA shall provide or pay for the provision of transportation for the student to the public school the student attends. According to Section 1116(b)(10)(A) of NCLB, "Unless a lesser amount is needed to comply with paragraph (9, Transportation) a LEA shall spend an amount equal to 5% of its allocation to provide or pay for transportation. In addition, an amount equal to the remaining 10% of its allocation may be spent for transportation, supplemental services or both as the agency determines. A maximum of 20% shall be required to support transportation and supplemental services requests.

Duration of Choice Plan

The choice option remains in effect for any student attending a school on school improvement, corrective action or restructuring, until the school makes AYP for 2 consecutive years.

Special Rule: The LEA shall permit a child to remain at the other school until he/she has completed the highest grade at that school. No transportation is provided after the end of the school year, unless the school remains on school improvement, corrective action or restructuring

Issues that should be addressed in a LEAs Choice Plan

- LEA must determine which schools are available for transferring students.
- Establish a "cooperative agreement" with schools in the area not on school improvement available for incoming students.
- Discuss the transportation options.
- Establish a cutoff date for when parents must make the decision to transfer. Please note homeless children must always be provided transportation.
- An LEA may also want to consider any issues that are unique to their community.

School Choice
Question and Answer

Do the public school choice options include only schools in the same district, or might they include schools in neighboring school districts?

Options may include a neighboring school district. If a school is identified for school improvement, corrective action, or restructuring, your district must provide all students in the failing school the option to transfer to another public school that is not failing, no later than the first day of the school year following identification.

However, if all public schools served by the district are in school improvement, corrective action, or restructuring, the district must try to establish a cooperative agreement with other districts to provide students the option to transfer to another public school. In addition, nothing in the *No Child Left Behind* Act prohibits districts from establishing cooperative agreements, regardless of whether all schools in a particular district are failing. Public school choice must be provided unless state law prohibits it.

Will transportation be offered to students exercising public school choice options?

Yes. Districts must provide transportation required for a student to exercise public school choice under school improvement, corrective action, restructuring or interdistrict choice offered as part of corrective action for a school.

Which students in "failing" schools will be eligible for public school choice?

All children attending schools identified for school improvement, corrective action, or restructuring are eligible to exercise public school choice, but districts must give priority to low-income students (as defined by the district) if it is not possible to serve all students..

Please note a K-12 district need only provide choice to those students who are attending a school improvement school.

Can parents choose which non-improvement school they wish their child to attend?

The law does not require the LEA to give students the option to attend "any" other public school in the LEA. The statute simply requires allowing transfer to "another" public school. Hence, a district may determine which school a student has the choice to transfer. This is also true for out of district transfer.

In limiting students' choices of public schools, however, the guidance reminds LEAs to be mindful of two key principles. First, LEAs must provide as many students in low-performing schools as possible with the option to transfer to higher-quality school; there must be "real alternatives" for obtaining a better education. Second, applicable civil rights requirements must be met. The choice program cannot deny any student equal educational opportunity on the basis of race, color, national origin, sex, disability or age.

Do Title I funds follow the child to the new school?

The issue of whether Title I funds follow a student to his or her new school of choice depends on numerous factors. Primarily, the issue depends on which model the LEA uses to rank and serve its schools under Section 1113: (1) the attendance area/residency model, or (2) the enrollment model. Most LEAs use the attendance area/residency model, which entails ranking a school based on the poverty of families residing in the attendance area surrounding it. In this

case, Title I funds will not move with a child, since the child's family residence continues to be in the school attendance area.

However, if an LEA uses the enrollment model for ranking its schools, it is possible that Title I funds may move with the child to a new school. For example, if a student from a low-income family moves from School A to School B, then the student will be counted as a low-income student enrolled in School B, not School A. If School B receives a Title I allocation due to its placement in the ranking of schools, then the student will generate funds for School B and not School A. (There would most likely be a one-year delay in moving the Title I funds to follow the student, since most LEAs use data from the prior year.) However, if School B does not have a total poverty count sufficient to receive a Title I allocation, then that low-income student will not generate any Title I funds for School B.



Consolidated Federal Programs: Questions and Answers

Choice Questions

For students that are currently permitted out of a Title I school to attend another school and provide their own transportation, next year, they will want the district to also provide free transportation and will use the "choice" policy just to get free transportation. Will this be allowed?

All children attending a school identified for school improvement, corrective action, or restructuring are eligible to exercise public school choice, but districts must give priority to low-income students (as defined by the district) if it not possible to serve all students. And within the low-income group priority must be given to low achieving students (Section 1116(a)(1)(E)).

When dealing with CHOICE, what if all schools are filled?

This issue is not fully addressed in the No Child Left Behind Act. However, it is discussed in Colorado's state choice plan. According to Article 36 Public Schools of Choice, if there is a lack of space or teaching staff within a particular program or school requested priority shall be given to resident students applying for admission to such program or school.

If we have another funding source for supplemental or transportation, can we not set aside the 20%. Can we revise the budget as early as November?

Please note a district need only set aside dollars for supplemental services if they are in their second year of school improvement or on corrective action (Section 1116(e)(1)).

Will there be a list of "scientifically based research" programs that comes out of Jan Silverstein's study? Will this be available to districts?

In deference to Colorado's local control system of governance, Colorado will not issue a "short list" of scientifically research-based programs from which eligible LEAs/schools must select to receive Reading First funds. However, to assist LEAs/schools to make decisions based in SBRR as they develop their applications, the state will provide a list of programs found to be based in SBRR through expert review in other contexts. Colorado Reading First staff will be careful to underscore that this information does not constitute a state level recommendation of the programs mentioned, but rather is intended as one tool that eligible LEAs can consider in developing their Reading First applications. This information should be available no later than November 2002.

In calculating the PPA, do you first subtract the set asides (transportation, supplementary services, parent involvement.....) and then figure the PPA?

A. Yes.

What is the LEA's responsibilities to private schools? To what extent do they get money (is it their allocation)?

Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.

In addition to financial equitability, the services that an LEA provides to private school children must be equitable in comparison to the services and other benefits provided to public school children. The LEA must assess and address the specific needs and educational progress of private school students on a basis comparable to that used for public school students (Section 1120).

For additional information on Choice, please visit the following link:

[Colorado School Choice](#)

[School Choice Requirements](#) - A PDF Document

For additional information, E-Mail: hensinger_j@cde.state.co.us



[[State](#) | [CDE](#) | [Top](#)]



[Return to: State and Federal Grants Page](#)

Last Modified: 06/18/2002

ATTACHMENT III:

**SUPPLEMENTAL EDUCATIONAL
SERVICES**

AND

REQUEST FOR PROPOSALS

**SUPPLEMENTAL EDUCATIONAL
SERVICE PROVIDERS**

Supplemental Educational Services



Background

As part of the federal **No Child Left Behind Act (NCLB)** of 2001, any school that is in its second year of School Improvement or on Corrective Action shall arrange for the provision of supplemental educational services to eligible children in the school from a provider with a demonstrated record of effectiveness or a high probability of success, that is selected by the parents in cooperation with the school district of residence and approved for that purpose by the State educational agency [Section 1116(e)(1)].

Purpose

A Request for Proposals has been issued to select the providers of supplemental services that will be included on the Approved Supplemental Services Provider (ASSP) list. This is not a competitive grant in that as many providers can be included in the ASSP list as meet the criteria specified below. The list will be maintained by the Department of Education and will indicate which of the approved providers offer supplemental services in each school district.

The **No Child Left Behind Act** requires that the state promote maximum participation by providers to ensure, to the extent practicable, that parents have as many choices as possible. The state approved list will be updated at least annually. Each year there will be an opportunity for new providers to demonstrate that their organization meets the requirements. Providers of supplemental services can also be removed from the list annually subject to the conditions specified below.

It is expected that instruction will be primarily in the areas of reading and math in order to help students achieve Colorado's standards, as demonstrated by improved Colorado Student Assessment Program (CSAP) scores. Adequate Yearly Progress (AYP) is calculated for both reading and math in all public schools.

Eligibility Requirements

To be included on the approved list of supplemental services providers, applicants must meet the following criteria:

- Have a demonstrated record of effectiveness or have a high probability of increasing student academic achievement.
- Provide supplemental educational services that are consistent with state academic standards (the Colorado Model Content Standards are available on the CDE web site: http://www.cde.state.co.us/index_stdn.htm).
- Provide instruction that is of high quality, research-based, and specifically designed to increase academic achievement of eligible children on state assessments and attain proficiency in meeting the State's academic achievement standards. Reading instruction must be scientifically based and proven to be effective and include the National Reading Panel Report criteria (www.nifl.gov).
- Provide letters of reference to parents and schools.
- Be financially sound.
- Provide instruction in addition to what is provided during the school day.
- Provide instruction that is secular, neutral and nonideological.
- Meet all applicable Federal, State, and local health, safety, and civil rights laws.

Eligible Service Providers

The term Provider is defined as a non-profit entity, a for-profit entity, or a school district. Entities eligible to apply to provide supplemental services may include, but are not limited to:

- Community agencies
- Charter schools
- Private schools
- Individuals
- Child care centers
- Public schools
- Libraries
- Community colleges
- Private companies
- On-line schools
- Family literacy programs/Even Start programs
- Boards of Cooperative Educational Services (BOCES)
- Faith-based organizations

Responsibilities of the Approved Provider

Entities included on the Approved Supplemental Services Provider list are required to do the following:

- √ Ensure that the instruction provided is aligned with Colorado student academic achievement standards and in the case of a student with disabilities, is consistent with the student's individualized education program under section 614(d) of the Individuals with Disabilities Education Act.
- √ Provide parents of children receiving supplemental educational services and the appropriate school with information on the progress of the children in increasing achievement, in a format and, to the extent practicable, in a language that such parents can understand.
- √ Ensure all employees who will interact with students will be fingerprinted and background checked pursuant to CDE teacher licensure procedures (www.cde.state.co.us/index_license.htm).
- √ Enter into an agreement with the local school district that includes:
 - A statement of specific achievement goals for each student based upon the child's specific educational needs
 - A description of how the student's progress will be measured
 - A timetable for improving achievement, that, in the case of a student with disabilities, is consistent with the student's Individual Education Program
 - The amount of instructional time to be provided
 - The location where services will be provided
 - The means of transporting children to the place of instruction, if the services will be provided in a location other than student's school
 - A description of how the student's parents, teacher(s) and school district will be regularly informed of the student's progress
 - Provisions for the termination of such agreement

- Provisions with respect to the making of payments to the provider by the school district
- An assurance from the provider that the identity of any student eligible for, or receiving, supplemental educational services will not be disclosed without the written permission of the parents of the student
- A description of the scientifically based program to be utilized with specific references
- The qualifications of staff responsible for the delivery of the instructional program

Responsibilities of the School District

Qualifying school districts are required to:

- ✓ Identify eligible students
- ✓ Notify parents annually (in an understandable and uniform format, and, to the extent practicable, in a language the parents can understand) of:
 - The availability of supplemental services
 - The approved providers whose services are within the school district or whose services are reasonably available in neighboring school districts
 - A brief description of the services, qualifications, and demonstrated effectiveness of each approved provider to assist the parent in selecting a provider
- ✓ Contact providers selected by the parents and enter into a contractual agreement on behalf of the student
- ✓ Monitor the "Responsibilities of the Approved Provider" listed above

Districts are not required to provide transportation to those services offered away from the school location.

Funding

The school district is only required to spend its per pupil allocation or the actual cost of the supplemental services, whichever is less.

Duration and Monitoring

The Colorado Department of Education, in cooperation with the applicable school districts, is required to monitor the quality and effectiveness of the services offered by approved providers and to withdraw approval from providers that fail, for two years, to contribute to increasing the academic proficiency of students to whom they provide services or that fail to meet any of the other eligibility requirements or assurances. CDE monitoring will be conducted through contact with local school districts to ascertain an evaluation and demonstration of the effectiveness of providers. A violation of any of the above referenced Provider responsibilities constitutes grounds for immediate removal from the state approved list.

A district must continue to offer supplemental services until the school(s) in question is no longer on school improvement according to requirements of NCLB.

Reporting

In May of 2003, the provider is expected to submit to the school a final written report that summarizes the progress of all students provided with supplemental services. The school will

submit this report to the Colorado Department of Education for review. This information will be used to help determine if a provider will remain on the state approved list.

*Supplemental Educational Services
Questions and Answers*

What schools will be required to offer supplemental services during the 2002-2003 school year?

Any school that is in its second year of School Improvement or on Corrective Action shall arrange for the provision of supplemental educational services to eligible children in the school. There are approximately nine schools that will be required to offer supplemental services during the 2002-2003 school year. The schools are located in the following districts: Denver (Denver County District 1); Jefferson County (Jefferson County District R-1); Aurora (Arapahoe County 28J) and Loveland (Larimer County Thompson R-2J).

What rights do parents have in selecting supplemental services?

The selection of a provider for supplemental services is the decision of the parents of eligible children. The LEA may provide parents with assistance in choosing a provider from the list maintained by the state, but only upon the parents' request. An LEA cannot predetermine that all of its supplemental services will be provided by a specific provider that the LEA selects or restrict parents' choice in other ways. As it will be the responsibility of the parents and schools to contact selected providers, the State will not be releasing the names of the schools which will be required to provide services this fall.

Can the LEA or school fund after school, summer school or other supplemental services from the 5% supplemental services fund?

Yes. Any school that is in its second year of School Improvement or on Corrective Action shall arrange for the provision of supplemental educational services to eligible children in the school. Please note, that the provider of those services must be approved for that purpose by the State and be on the State list of approved providers.

Can an LEA or school get on the state's approval list?

Yes. The term provider is defined as a non-profit entity, a for-profit entity, faith-based organization or a school district.

To what extent will providers be responsible for providing information in a language understandable by parents?

The information must be provided in a format and, to the extent practicable, in a language that the parents can understand.

Can a provider provide services to only girls?

The provider must meet all applicable federal, state, and local health, safety, and civil rights laws. There are no provisions in the law prohibiting providers from serving only boys or girls.

Does a criminal record check meet the requirements of fingerprinting?

No. Providers must be fingerprinted in the same manner as public school educators.

If an after school program is already in place, can they apply to be supplemental service providers?

Yes. Any non-profit organization, for-profit organization, faith-based organization or LEA may apply to be on the State list of approved providers. However, ultimately it is the parent's choice from whom they would like their child to receive services so although there may be an after school program at the school that is on the State list of approved providers a parent may choose another provider.

How will providers be notified of the approval or disapproval of their proposal?

Applicants will be notified by letter whether or not they will be placed on the state list. It is anticipated that a final list will be compiled by August 10, 2002 and applicants will be notified just prior to the list being available publicly.

When will we have the state approved supplemental services list of providers?

The Request for Proposals for Supplemental Educational Service providers is due July 1, 2002. A group of readers will be reviewing the RFPs and determining whether or not the providers meet the requirements of the law. A list of approved providers will be on the CDE website no later than August 10, 2002.

How should a provider discuss the cost of their program?

School districts must provide funding for supplemental services for each participating child in an amount which is the lesser of the following: (1) the school district's Title I, Part A allocation, as determined by the state education agency, divided by the number of children from families below the poverty line (based on Census poverty data, not federal school lunch data) in the school district; or (2) the actual costs of the supplemental services received by each child.

It is important that schools and parents have a sense of the cost of a provider's services. At the present time, neither the State nor schools know how many parents will take advantage of supplemental services. The only suggestion would be that providers indicate how much they charge per session or if they have a program that runs for a duration of time (i.e., six weeks) indicate how much the program costs.

How many providers will be on the state approved list?

There is no limit to how many providers can be on the State list. The list will include all of the providers that scored a minimum of 28 points on the rubric included in the request for proposals.

The following questions will have to be answered as the year progresses.

- How will mobility be taken into account during the reporting process?
- Will there be training provided to the schools on how to complete the end of the year progress report?
- How will schools identify their low-income students?
- How will the privacy of the low-income students be maintained?

REQUEST FOR PROPOSALS

SUPPLEMENTAL EDUCATIONAL SERVICE PROVIDERS

School Years 2002-2004

Pursuant to the Federal No Child Left Behind Act
Section 1116(e)(1)



Issued by:



The Colorado Department of Education
Office of Special Services

For more information contact:

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Proposals due to Colorado Department of Education on:

July 1, 2002 by 4:00 p.m.

Must be postmarked by June 28, 2002

Anetta Stevens

Colorado Department of Education
201 East Colfax Avenue
Room 501
Denver, CO 80203

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**Colorado Department of Education
Organizational Commitment**

The Colorado Department of Education dedicates itself to increasing achievement levels for all students through comprehensive programs of education reform involving three interlocking elements: A) High Standards for what students must know and be able to do; B) Tough Assessments that honestly measure whether or not students meet standards and tell citizens the truth about how well our schools serve children; C) Rigorous Accountability Measures that tie the accreditation of school districts to high student achievement.

The Colorado Department of Education does not discriminate on the basis of disability, race, color, religion, sex, national origin or age in access to, employment in, or in the provision of any of CDE's programs, benefits or activities.

ATTACHMENT IV:

ADEQUATE YEARLY PROGRESS (AYP)

LETTER TO:

DR. JACQUELYN JACKSON (SEPT. 4, 2002)

OF THE U.S. DEPARTMENT OF EDUCATION

FROM

COLORADO ASSISTANT COMMISSIONER

FOR SPECIAL SERVICES

WILLIAM WINDLER

DESCRIBING COLORADO'S APPROACH TO

AYP



COLORADO DEPARTMENT OF EDUCATION

201 East Colfax Avenue (Central Office 303.866.6600)
Denver, Colorado 80203-1704 • www.cde.state.co.us

William J. Moloney
Commissioner of Education

Roscoe Davidson
Deputy Commissioner

September 4, 2002

Dr. Jacquelyn Jackson
Acting Director, Student Achievement and School Accountability Program
Office of Elementary and Secondary Education
United States Department of Education
400 Maryland Avenue, S.W., Room 3W230FB-6
Washington, D.C. 20202-6132

Re: Comments Regarding Department of Education Proposed Rules, 34 CFR, Part 200

Dear Dr. Jackson:

Issue: Adequate Yearly Progress:

The proposed regulations, 34 CFR 200, written to implement recent changes to Title I of the ESEA made by the *No Child Left Behind Act* need further clarification regarding Adequate Yearly Progress.

It appears that the U.S. Department of Education recognizes on page 50988 of the Federal Register dated Tuesday, August 6, 2002, that "there are rigorous (accountability) models that states already have developed that may achieve the same fundamental principles of the statute, although through different approaches. For example, some models establish a growth trajectory for each school based on the school's baseline performance." This is fundamentally the model that Colorado has developed over the past several years.

Colorado's definition of Adequate Yearly Progress is a subset of the state accreditation process that serves as the single accountability system. The definition of AYP includes the steps Colorado will take to implement an accountability system so that all children will be proficient in reading and mathematics within twelve years. Colorado takes seriously the notion that no child should be left behind. Therefore, Colorado's accreditation system has been designed to follow the progress of individual students so no child will be left behind.

Colorado's single accountability system is based upon a value-added, longitudinal process that is incorporated into state accreditation. This system is designed to ensure accountability for all student sub-groups. Schools and districts are required to document that all students have made at least a year's growth in a year's time. Schools and districts are expected to work with students currently below proficient so that they can make more than a year's growth in a year's time so that the achievement gap will be closed within the twelve-year period required in the *No Child Left Behind Act*. Colorado's definition of AYP sets very specific, annual, measurable objectives for all students to obtain in reading and math. Colorado's definition of Adequate Yearly Progress reflects the degree to which schools and districts are adding value to each individual student as

~~measured by the Colorado Student Assessment System at certain points in time on an annual basis.~~

The annual targets for each student sub-group must be met for a school to be deemed as having made Adequate Yearly Progress. This will document the degree to which the school as an institution is adding value to the education of students in reading and math for each required sub-group. Colorado's definition of AYP supports and supplements its single accountability system based upon a value-added, longitudinal model that will track individual students over time. State accreditation asks districts and schools to document annually the number of students who have made a year's growth in a year's time in multiple content areas with an overarching goal to close the achievement gap. This system of accountability also provides principals and teachers with the individual student data that they need as professionals to alter their educational programs and teaching strategies so that all children will meet the standards over time.

The language in Sections 200.13 through 200.21 seems overly restrictive as it relates to determining the starting point for the calculation of AYP. Colorado can document that its single accountability system is more rigorous than the system outlined in the Federal Register.

Suggested Solution:

The language in Sections 200.13 through 200.21 should be modified to be consistent with the language cited above in this correspondence as it relates to page 50988 of the Federal Register regarding states that already have rigorous accountability measures that "achieve the same fundamental principles of the statute, although through different approaches." These changes would also be consistent with the "Dear Colleague" letter from Secretary Paige dated July 24, 2002. This letter suggests that any accountability system that meets the following ten quality criteria will be approved:

1. A single statewide accountability system applied to all public schools and LEA's.
2. All public school students are included in the state accountability system.
3. A state's definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading and math no later than 2013-2014.
4. A state makes annual decisions about the achievement of all public schools and LEA's.
5. All public schools and LEA's are held accountable for the achievement of individual subgroups.
6. A state's definition of AYP is based primarily on the state's academic assessments.
7. A state's definition of AYP includes graduation rates for high schools and an additional indicator selected by the state for middle and elementary schools.
8. AYP is based on separate reading/language arts and math achievement objectives.
9. A state's accountability system is statistically valid and reliable.
10. In order for a school to make AYP, a state ensures that it assessed at least 95% of students in each subgroup enrolled.

Any state that can demonstrate that their single accountability system meets these ten quality criteria, which are at least as rigorous as those in statute, should be approved.

Therefore, Sections 200.13 through 200.21 should be amended to incorporate the above referenced criteria as articulated in the July 24, 2002 "Dear Colleague" letter from Secretary Paige to allow states to be creative in developing definitions of AYP that achieve the same fundamental principles of the statute.

This flexibility will give Colorado, as well as other states, the ability to develop AYP processes and procedures that are consistent with and philosophically aligned to the value-added, longitudinal approach to assessing student achievement.

If you have any further questions, please feel free to contact me at any time.

Sincerely,



William E. Windler
Assistant Commissioner
Phone: 303-866-6631
E-mail: windler_w@cde.state.co.us

cc.: William Moloney, Commissioner of Education
Roscoe Davidson, Deputy Commissioner of Education
Gary Sibigroth, Assistant Commissioner

ATTACHMENT V:

**CLOSING THE
ACHIEVEMENT GAP COALITION**

STATEMENT OF PURPOSE

FEBRUARY, 2000

CO-CHAIRS:

GOVERNOR BILL OWENS

ATTORNEY GENERAL KEN SALAZAR



CLOSING THE LEARNING GAP

We have waited too long. We have talked too much. We have done too little.

The rhetoric of equality rings hollow after decades of inaction. Our assertion that all children can learn seems perverse in light of our failure to prove it. Our words do nothing to heal the pain of countless children whose lives have wasted while we drifted.

We know what is wrong. We know what works. The question that remains is whether we have the will to do what works, to fix what is wrong.

In this dawn of the twenty-first century, education is the new frontier of civil rights. Other rights pale by comparison for the young person who can never get a decent job because he or she never had the opportunity for a decent education.

If our American democracy is to endure and prosper, it cannot be as a society that tolerates two systems of education – one of high expectation for the children of the fortunate and one of lesser standards for children of poverty and color.

We, the undersigned, pledge ourselves to close the learning gap that separates these two groups of children. Furthermore, we shall commit to specific projects to advance this goal and also to regular progress reports.

To bring the fullest energy and devotion to this cause, we shall put aside other legitimate issues that engage us. We believe all other issues will be advanced in direct proportion to our success in closing the learning gap.

Governors and legislators of both parties have given us the tools to compel accountability on behalf of our children. Yet, too often, we have been unwilling to use these instruments to demand the change and educational reconstruction we sorely need.

Perhaps for some there is no crisis in education, but for our most vulnerable children, it is more than a crisis: It is a state of national emergency.

We commit to this challenge, not just because it is the right thing to do, but because it is nothing less than a moral imperative.

If Colorado is to be the best place to raise a child, then it must be so for all children.

Today, we call upon people of all backgrounds to join their hands to ours in this just cause. Let us go forward together, with a strong and active faith.

Background

As part of the federal **No Child Left Behind Act** (NCLB) of 2001, any school that is in its second year of School Improvement or on Corrective Action shall arrange for the provision of supplemental educational services to eligible children in the school from a provider with a demonstrated record of effectiveness or a high probability of success, that is selected by the parents in cooperation with the school district of residence and approved for that purpose by the State educational agency [Section 1116(e)(1)]. It is anticipated that for the 2002-2003 school year the schools that meet these criteria will be located in the following districts: Denver (Denver County District 1); Jefferson County (Jefferson County District R-1); Aurora (Arapahoe County 28J) and Loveland (Larimer County Thompson R-2J).

Purpose

This Request for Proposals is issued to select the providers of supplemental services that will be included on the Approved Supplemental Services Provider (ASSP) list. This is not a competitive grant in that as many providers can be included in the ASSP list as meet the criteria specified below. The list will be maintained by the Department of Education and will indicate which of the approved providers offer supplemental services in each school district.

The **No Child Left Behind Act** requires that the state promote maximum participation by providers to ensure, to the extent practicable, that parents have as many choices as possible. The state approved list will be updated at least annually. Each year there will be an opportunity for new providers to demonstrate that their organization meets the requirements. Providers of supplemental services can also be removed from the list annually subject to the conditions specified below.

It is expected that instruction will be primarily in the areas of reading and math in order to help students achieve Colorado's standards, as demonstrated by improved Colorado Student Assessment Program (CSAP) scores. Adequate Yearly Progress (AYP) is calculated for both reading and math in all public schools.

Eligibility Requirements

To be included on the approved list of supplemental services providers, applicants must meet the following criteria:

- Have a demonstrated record of effectiveness or have a high probability of increasing student academic achievement.
- Provide supplemental educational services that are consistent with state academic standards (the Colorado Model Content Standards are available on the CDE web site: http://www.cde.state.co.us/index_std.htm).
- Provide instruction that is of high quality, research-based, and specifically designed to increase academic achievement of eligible children on state assessments and attain proficiency in meeting the State's academic achievement standards. Reading instruction

must be scientifically based and proven to be effective and include the National Reading Panel Report criteria (www.nifl.gov).

- Provide letters of reference to parents and schools.
- Be financially sound.
- Provide instruction in addition to what is provided during the school day.
- Provide instruction that is secular, neutral and nonideological.
- Meet all applicable Federal, State, and local health, safety, and civil rights laws.

Eligible Service Providers

The term Provider is defined as a non-profit entity, a for-profit entity, or a school district.

Entities eligible to apply to provide supplemental services may include, but are not limited to:

- Community agencies
- Charter schools
- Private schools
- Individuals
- Child care centers
- Public schools
- Libraries
- Community colleges
- Private companies
- On-line schools
- Family literacy programs/Even Start programs
- Boards of Cooperative Educational Services (BOCES)
- Faith-based organizations

Responsibilities of the Approved Provider

Entities included on the Approved Supplemental Services Provider list are required to do the following:

- √ Ensure that the instruction provided is aligned with Colorado student academic achievement standards and in the case of a student with disabilities, is consistent with the student's individualized education program under section 614(d) of the Individuals with Disabilities Education Act.
- √ Provide parents of children receiving supplemental educational services and the appropriate school with information on the progress of the children in increasing achievement, in a format and, to the extent practicable, in a language that such parents can understand.
- √ Ensure all employees who will interact with students will be fingerprinted and background checked pursuant to CDE teacher licensure procedures (www.cde.state.co.us/index_license.htm).
- √ Enter into an agreement with the local school district that includes:
 - A statement of specific achievement goals for each student based upon the child's specific educational needs

- A description of how the student's progress will be measured
- A timetable for improving achievement, that, in the case of a student with disabilities, is consistent with the student's Individual Education Program
- The amount of instructional time to be provided
- The location where services will be provided
- The means of transporting children to the place of instruction, if the services will be provided in a location other than student's school
- A description of how the student's parents, teacher(s) and school district will be regularly informed of the student's progress
- Provisions for the termination of such agreement
- Provisions with respect to the making of payments to the provider by the school district
- An assurance from the provider that the identity of any student eligible for, or receiving, supplemental educational services will not be disclosed without the written permission of the parents of the student
- A description of the scientifically based program to be utilized with specific references
- The qualifications of staff responsible for the delivery of the instructional program

Responsibilities of the School District

Qualifying school districts are required to:

- √ Identify eligible students
- √ Notify parents annually (in an understandable and uniform format, and, to the extent practicable, in a language the parents can understand) of:
 - The availability of supplemental services
 - The approved providers whose services are within the school district or whose services are reasonably available in neighboring school districts
 - A brief description of the services, qualifications, and demonstrated effectiveness of each approved provider to assist the parent in selecting a provider
- √ Contact providers selected by the parents and enter into a contractual agreement on behalf of the student
- √ Monitor the "Responsibilities of the Approved Provider" listed above

Districts are not required to provide transportation to those services offered away from the school location.

Funding

The school district is only required to spend its per pupil allocation or the actual cost of the supplemental services, whichever is less. The preliminary Title I allocation for school districts is available at:

http://www.cde.state.co.us/cdefisgrant/NCLB_download.htm

Duration and Monitoring

The Colorado Department of Education, in cooperation with the applicable school districts, is required to monitor the quality and effectiveness of the services offered by approved providers and to withdraw approval from providers that fail, for two years, to contribute to increasing the academic proficiency of students to whom they provide services or that fail to meet any of the other eligibility requirements or assurances. CDE monitoring will be conducted through contact with local school districts to ascertain an evaluation and demonstration of the effectiveness of providers. A violation of any of the above referenced Provider responsibilities constitutes grounds for immediate removal from the state approved list.

A district must continue to offer supplemental services until the school(s) in question is no longer on school improvement according to requirements of NCLB.

Reporting

In May of 2003, the provider is expected to submit to the school a final written report that summarizes the progress of all students provided with supplemental services. The school will submit this report to the Colorado Department of Education for review. This information will be used to help determine if a provider will remain on the state approved list.

Application process and timeline

Proposals must be received by Colorado Department of Education by July 1, 2002, at 4:00 pm. If mailed, the submission must be post marked no later than June 28, 2002. Address or deliver the application to:

Anetta Stevens
Colorado Department of Education
201 East Colfax Avenue
Room 501
Denver, CO 80203

Training on the application process will be provided on May 30, 2002 from 1:30 p.m. to 3:30 p.m. in the State Board Room at the Colorado Department of Education. Please RSVP for the training using the attached form.

Questions and answers from the training and direct inquiries will be posted on the web site.

Grant approvals will be determined and announced by July 31, 2002. The ASSP list will be posted on the CDE web site no later than August 10, 2002. Applicants that do not meet the qualifications will be notified and may reapply in future years. Upon request, the reasons for denial will be provided to the applicant.

Required Format

Please use the application form attached to this RFP. Please provide the information in the order indicated on the application form and instructions. In addition:

- Use no smaller than 12 pt. type
- Use a document footer with entity name and page numbers
- Please limit the number of pages in the narrative to 10 pages
- Allowable attachments are limited to letters of reference and printed brochures describing the services provided. Proposal reviewers will not be required to read additional attachments. Attachments such as CDs, videotapes or other multimedia productions cannot be accommodated.

A complete application packet includes:

- Completed application
- Program narrative
- Completed Services Summary Chart
- Signed assurances form
- Allowable attachments

APPLICATION FORM

Name of Entity _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-mail _____

Proposed Location of Services (if different from above):

Address _____

City _____ State _____ Zip _____

Name of Contact Person _____

Geographic limitation. Our organization can provide services to:

All school districts in Colorado: Yes _____ No _____

To only the following areas: (Please list the potential school districts you will plan to serve)

For Profit Company _____ Non-Profit Organization _____ Individual _____

Please address the following criteria in a narrative of no more than 10 pages.

1. Please describe the program that will be offered.
2. Indicate how the content is aligned with CDE model content standards.
3. Indicate who will be teaching in the program, their qualifications and the ongoing support they will receive.
4. Describe the scientifically based research that demonstrates that this is an effective method to increase student achievement.

5. Provide evidence of the program's effectiveness. If available, include data that supports student academic progress.
6. Describe how the program will be monitored for effectiveness.
7. Delineate how the progress of students receiving supplemental educational services will be measured and which assessments will be used.
8. Describe how the school and parents will be notified of the student's progress (in their native language, if necessary).
9. Indicate the pricing structure for providing supplemental services.

Service Summary	
(Please limit responses to one word or short phrases. This information will be used in the compilation of a statewide master chart for parents and local school districts.)	
Name	
City & County	
Proposed location of service delivery	
If service delivery is not at the student's school, is transportation provided, and if yes, is there a separate fee? (Note: Districts are not required to provide or pay for transportation.)	
Service period start & end date for 2002-03	
Type of certification of instructors	
Individual or small group (maximum # in small group)	
Length of each tutoring session	
Number of sessions per week	
Cost per session	
Grade levels served	
Tutoring available in Reading and/or Math	
Title of tutoring curriculum utilized	
Scientifically based evidence of effectiveness	
Specifics of reporting to parents & school (format, frequency, method of communication)	
Description of services available to diverse populations (i.e., special needs, specific languages)	
Other information:	

Assurances and Signatures Form

In submitting this application to be included in the Colorado Department of Education Approved Supplemental Services Provider List, I certify that:

1. The organization meets all application federal, state, and local health, safety, and civil rights laws.
2. All teachers in the program have undergone background checks with the Colorado Bureau of Investigation, have been fingerprinted and are approved to work with children.
3. All instruction and content are secular, neutral, and non-ideological.
4. All qualified children whose parents request services from the organization will be served equally, without restriction.
5. The organization will not disclose to the public the identity of any student eligible for or receiving supplemental educational services without the written permission of the parent.
6. The organization is financially stable and will be able to complete services to the student and the school.
7. The organization will not apply additional admission criteria on eligible students.

Signature

Title

Date

**Supplemental Educational Services
Rubric**

Proposal # _____ Reviewer: _____

OVERALL SCORING: _____/42
 [Must score at least 28]

Part II: Application Narrative

Instructional Program

- ❖ Describe the program that will be offered. Be sure to include the following specifics:
 - Location of service delivery
 - Length of each tutoring session (i.e., everyday, biweekly, summer)
 - Grade levels served
 - Special groups served, if applicable
 - Discuss the transportation arrangements, if applicable
- ❖ Indicate how the content of the program will be aligned with state academic standards.

Level I 0-1 points	Level II 2-5 points	Level III 6-10 points
<ul style="list-style-type: none"> • Fails to provide an adequate description of the program. • Fails to demonstrate how the provider's services are consistent with state academic standards. 	<ul style="list-style-type: none"> • Addresses some of the areas listed above in the program description. • Includes some information regarding the alignment of the supplemental services offered and state academic standards. 	<ul style="list-style-type: none"> • Details clearly the instructional program offered by the provider. Addresses each of the areas listed above. • Includes strong evidence that the program offered is consistent with state academic standards.

Comments:

Element III: Ongoing Support

❖ Indicate who will be teaching in the program, their qualifications and the ongoing support that they will receive.

Level I 0-1 points	Level II 2-4 points	Level III 5-7 points
<ul style="list-style-type: none"> Does not address the qualifications of teachers or the ongoing support that will be given. 	<ul style="list-style-type: none"> Provides some description of the qualifications of teachers and the ongoing support that will be given. 	<ul style="list-style-type: none"> Staff identified and fully qualified. Comprehensive plan in place for professional development and technical assistance.

Level III (5-7 points)

Comments:

Element III: Scientifically Based Research and Program Effectiveness

- ❖ Describe the scientifically based research that demonstrates that this is an effective method to increase student achievement.
- ❖ Provide evidence of the program's effectiveness. If available, include data that supports student academic progress.

Level I 0-1 points	Level II 2-5 points	Level III 6-10 points
<ul style="list-style-type: none"> Fails to discuss the scientifically based research that supports the effectiveness of the program. Fails to include evidence that the program has a record of effectiveness. 	<ul style="list-style-type: none"> Shows some evidence of the scientifically based research that supports the effectiveness of the program. Shows some evidence that the program has a record of effectiveness. 	<ul style="list-style-type: none"> Cites scientifically based research fully supports that this method is effective. Provides strong evidence that the program has a record of effectiveness.

Level III (6-10 points)

Comments:

Item 11: Describe how the program will be monitored for effectiveness.

- ❖ Describe how the program will be monitored for effectiveness.
- ❖ Delineate how the progress of students receiving supplemental educational services will be measured and which assessments will be used.
- ❖ Describe how the school and parents will be notified of the student's progress (in their native language, if necessary).

Level I 0-2 points	Level II 3-6 points	Level III 7-10 points
<ul style="list-style-type: none"> • Fails to discuss how the program will be evaluated. • Does not address monitoring progress of each student receiving tutorial assistance. • Does not adequately explain how parents and schools will be informed of a student's progress. 	<ul style="list-style-type: none"> • Provides some description of how the program will be evaluated. • Shows limited method for monitoring progress of each student receiving tutorial assistance. • Provides some explanation as to how parents and schools will be informed of a student's progress. 	<ul style="list-style-type: none"> • Clearly explains how the program will be consistently monitored for effectiveness. • Details how student progress will be monitored through assessments. • Describes plan to thoroughly inform parents and schools of the student's progress.

Comments:

Item 12: Indicate the pricing structure for providing supplemental services.

- ❖ Indicate the pricing structure for providing supplemental services.

Level I 0-1 points	Level II 2-3 points	Level III 4-5 points
<ul style="list-style-type: none"> • The explanation of pricing fails to give the reader an understanding of the cost of services. 	<ul style="list-style-type: none"> • The explanation of pricing provides some understanding of the cost of services. 	<ul style="list-style-type: none"> • The explanation of pricing clearly explains the cost for services.

Comments:

Supplemental Educational Services Grant Writing Training

May 30, 2002
1:30 to 3:30 p.m.
Colorado Department of Education
201 E. Colfax Avenue, State Board Room
Denver, CO

Please include complete information for those attending by May 24, 2002.
Remember to include your street address, city, zip code, and area codes for phone numbers.

Name _____

Title _____ Region _____

Company's Name _____

Address _____

City _____ Zip _____

Work Phone (____) _____

Fax (____) _____ E-mail _____

Please fax the completed form to Laura Hensinger, (303) 866-6637. Our mailing address is
Colorado Department of Education; 201 E. Colfax Ave., Rm. 502; Denver, CO 80203.

The CHAIRMAN. Mr. Casserly.

**STATEMENT OF MICHAEL CASSERLY, EXECUTIVE DIRECTOR,
COUNCIL OF THE GREAT CITY SCHOOLS, WASHINGTON, DC**

Mr. CASSERLY. Good morning, Mr. Chairman. Thank you very much for the opportunity to testify before this committee, and thank you for your leadership on this legislation and on education issues.

As the chairman knows, the Council of the Great City Schools supported No Child Left Behind when it passed, and we support it today. We did so because the bill set the right goals, and it focused on the right kids.

Mr. Chairman, I would like to make a number of quick points about the legislation and its implementation. First, our cities are committed to making this bill work. That commitment has been matched by efforts from day one. We began meeting with the cities and the city schools on December 10, the very day that the Congress was finalizing the conference report on H.R. 1, in order to begin the process of implementing the law. We followed that initial session with scores of meetings, briefings, conference calls, onsite technical assistance and exchanges, and the cities did all of this on their own since January in order to make this law work. Most of our cities began the process of implementing the law almost immediately after it was signed.

One of the side effects of the bill has been better coordination. The legislation reaches into so many operations in our school systems that we have almost had to cooperate. The superintendent and senior staff have also been personally engaged in this process in ways that I have not seen in the five reauthorizations of ESEA that I have participated in.

Second, people should not confuse frustration with the Act for a shortage of resolve. We often lack capacity; we do not lack will. We know that there is resistance to the Act in some quarters, but that resistance does not exist in the cities. We see the national focus on our children as an opportunity, not as an intrusion.

Third, we have received good support from the Department of Education. The guidance that they provided us in the first 6 months after passage of the Act was sufficient to get us started. We didn't wait for somebody to tell us what to do. The law was very clear about what the goals were and how it was that we were supposed to proceed.

Fourth, the Council has begun to collect information from the cities on key issues that we know are of interest to this committee and to the public. We have preliminary information on 24 cities, a summary of which is attached to my testimony.

The choice option in particular has not been easy. Early information indicates that parental requests are being honored in the cities, usually with two or more options to parents. Some cities have open seats in nearly every school. Other cities are so overcrowded or have so many schools in school improvement that our degrees of freedom are limited. The result in these cities is that the number of transfers is not as high as many had originally expected, but we anticipate that this is likely to change in the years to come.

Supplemental services are a new feature of the legislation, unlike the choice provisions. This process is moving slower than we would like. About 14 of the 20 States on which we have preliminary information have yet to issue lists of approved providers to our cities, and it has slowed the process somewhat of providing supplemental services beginning at the start of the school year.

Fifth, most of our city schools are showing signs of improving student achievement, the ultimate purpose of this legislation, and about 40 percent of the cities are showing gains that outpace state-wide averages. We expect that this pace will accelerate.

We have also finished a major new analysis on what the fastest-improving cities have done to get gains systemwide. This report, "Foundations for Success," indicates that their gains are not episodic. There are common practices similar to those called for in *No Child Left Behind* that undergird these cities' improvements. The results give us confidence that we are on the right track.

Ultimately, of course, the Act will not be scored against how many requirements we meet or how many kids we bus from one school to another. The Act will be judged on how many children's achievement we raise and achieving the overall goal and vision of this legislation of leaving no child behind.

Finally, we need help implementing the Act. We need better technical assistance from the States, and we need considerably more funding from the Administration and Congress targeted on need to ensure the bill's success.

We pledge our best efforts to spend the money wisely and to implement the law faithfully.

Thank you.

The CHAIRMAN. Thank you very much.

[The prepared statement of Mr. Casserly follows:]

PREPARED STATEMENT OF MICHAEL CASSELY, EXECUTIVE DIRECTOR, COUNCIL OF THE GREAT CITY SCHOOLS

Good morning, my name is Michael Casserly. I am the Executive Director of the Council of the Great City Schools. Thank you for the opportunity to testify before this Committee on the implementation of *No Child Left Behind*.

The Council is a coalition of nearly 60 of the nation's largest urban public school systems. Our Board of Directors is composed of the Superintendent of Schools and one School Board member from each city, making the Council the only national organization comprised of both governing and administering personnel and the only one whose sole mission and purpose is urban.

Our member urban school systems educate over 6.5 million students or about 14 percent of the nation's K-12 public school enrollment. Some 63 percent of our students are eligible for a free lunch and about 21 percent are English Language Learners. Approximately 80 percent of our students are African American, Hispanic or Asian American.

The Council of the Great City Schools supported the passage of *No Child Left Behind* and continues to support the Act today. We backed the bill knowing that it had numerous challenges for urban schools, multiple requirements, and sometimes poorly calibrated provisions. The Council supported the legislation because it set the right goals and it focused on the right kids—those too often left behind. We also endorsed the legislation because Congress generously funded the Act in the first year and targeted the resources on communities that needed help the most.

Mr. Chairman, I would like to make a number of brief points about the legislation and its implementation.

First, our cities are committed to making this bill work. That commitment has been matched with effort since the day the bill was passed. Over half of the nation's major city school systems convened in Washington on December 10, 2001 for 4 days of meetings on what the bill meant and how we could begin the process of implementing it. We followed that initial session with literally scores of meetings, brief-

ings, group conference calls, and onsite technical assistance sessions to turn the bill's promise into reality. We used these sessions to answer questions, interpret the law, provide guidance, share materials, and clarify intent. The cities did this on their own.

Most cities responded by starting their planning process immediately. New York City, for example, assembled a cabinet-level task force on January 16 to initiate the implementation process. Greenboro (NC) began implementation meetings on February 22 with its board, superintendent, senior management, and all school principals.

One of the unintended—and positive—side-effects of the legislation has been better coordination among staff. NCLB reached beyond Title I into curriculum, instruction, personnel, procurement, budget, student assignment, transportation, strategic planning, assessment, research and evaluation, data systems, and management. In nearly every Great City School system, the superintendent and his cabinet-level administrators have been engaged personally in implementing the Act at a level I have not seen in the five other ESEA reauthorizations in which I have participated.

Second, Members of Congress and the press should not mistake frustration over implementing the Act with a lack of resolve. This bill is extremely complicated. We are having some problems with capacity and logistics, but not with will. We know that there is resistance to and hesitation about the Act among some groups, but we have not seen it from the cities. We see the national focus on educating our neediest children as an opportunity, not an intrusion.

Third, we have received good support from the U.S. Department of Education from the time the bill was signed and throughout the summer. The Council and its cities felt that we had sufficient information to implement the Act and did not need to wait to be told what to do. The Act is quite detailed in its requirements and does not need extensive explication. The meetings and guidance provided by the Department in the first 6 months were sufficient to allow us to get started. We have also appreciated the flexibility that the Department has used in the regulatory process, not regulating in places where it was unnecessary.

We recognize that many States have hesitated to provide school districts with much direction prior to the Department of Education's final regulations and non-regulatory guidance. We have not had the luxury of waiting. The first year's requirements and short timelines meant that we could not delay local planning and decisionmaking.

Fourth, the Council has begun to collect information from its cities on key implementation features that we know are of interest to you and the public. We have preliminary information from 24 cities, the summary of which is attached to this testimony.

The most pressing implementation issues for this new school year (2002–2003) involve public school choice, transportation, and supplemental services. One locality hardly looks like another at this point. There are some states, for instance, where no schools or nearly no schools are identified for “school improvement” because of how they defined and implemented the 1994 Act. No school districts in these states—including their biggest cities—will be implementing the required public school transfers or supplemental services. Other states have retroactively reduced the number of low-performing schools by redefining the criteria for adequate yearly progress under the preceding reauthorization. There will still be large numbers of low-performing schools in these states, but not as many as were previously determined. Finally, most states appear to be successfully transitioning their identified schools from the 1994 Act to the new one.

The public school transfer option has been in Federal law since the FY2000 appropriations bill, but reworking the student assignment plans in large urban school districts is not a simple undertaking. Nonetheless, early information from the 24 Great City School districts on which we have information indicate that parental choice requests are being honored. Many cities have worked to offer parents with two or more transfer options before the August 6 draft regulations proposed it. In a few cities, there were open seats available in nearly all the schools. In other cities, the combination of overcrowded schools and the number of schools in “school improvement” restricted the number of open seats to the hundreds. We know that the number of transfers are not as high as some had expected, but we anticipate that this may change.

The most difficult aspect of this requirement, beyond its costs, is that the NCLB timelines are inconsistent with the open enrollment calendars in most school districts. Better coordination and integration of the NCLB provisions and the open enrollment procedures will likely produce a smoother and more coherent process next year.

Supplemental services are an entirely new requirement for the 2002–2003 school year. There are a variety of steps that States have to take prior to making supplemental services available at the local level. This process is moving slower than we would like. About 14 of 20 States on which we have preliminary information have not yet issued a list of approved providers to their cities. Some of our cities have begun to implement supplemental services on their own.

Fifth, the nation's urban school systems are showing signs of improving student achievement—the ultimate purpose of the Act. We released a report earlier this summer, *Beating the Odds II*, showing that nearly all of the cities were showing achievement gains in reading and math. About 40 percent of the cities are also showing gains that outpace statewide improvements. We expect that the pace will pick up.

We have also finished a major new analysis of how the nation's major urban school districts have improved student performance systemwide. This report, *Foundations for Success*, indicates that their gains are not episodic. (See attached summary.) Instead, there are common practices in these city school systems—similar to those called for in *No Child Left Behind*—that undergird their improvements. The results give us a great deal of confidence that we are on the right track.

Ultimately, the Act should not be scored on how many requirements we complied with or how many kids we bused from one school to another. This Act and our implementation of it should be judged on how many children, particularly poor and minority children, are improving their academic achievement. We know that the nation's performance is not likely to increase until the performance of its urban schools improve.

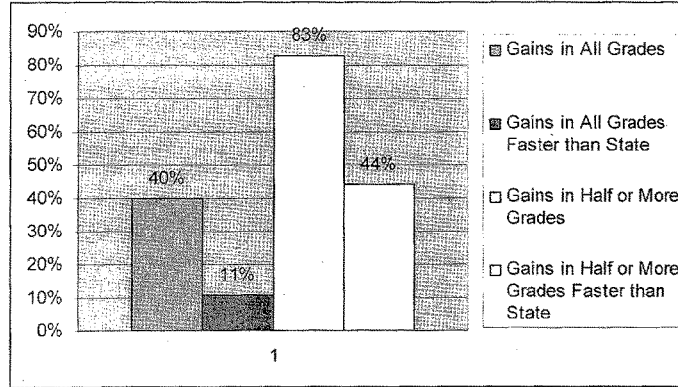
Finally, we need help implementing the Act. We will need far better technical assistance from the states, labs and centers than we have received to date. We will also need additional funding from the Administration and Congress, targeted on the greatest needs, to ensure the bill's success. The bill's implementation has only begun—the new accountability definitions and their consequences are not even in place yet. The number of schools implementing one intervention strategy or another will probably increase substantially in the next year or two.

We need Congress to continue increasing funding for Title I for disadvantaged children, Title II for teacher quality, and Title III for English Language Learners. We pledge our best efforts to spend the money wisely and implement the law faithfully.

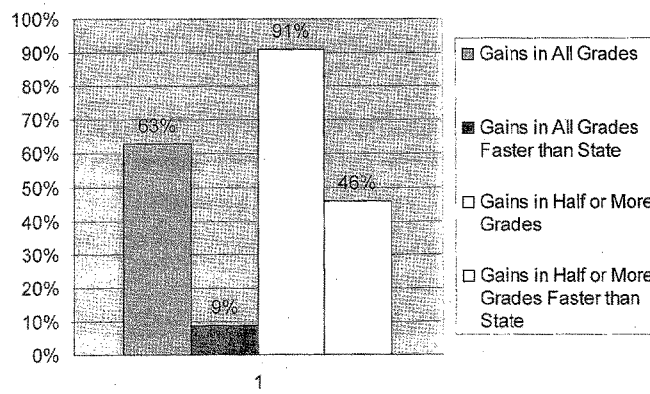
Thank you.

TRENDS IN URBAN STUDENT ACHIEVEMENT FROM BEATING THE ODDS II

Percentage of Cities with Reading Gains on State Assessments



Percentage of Cities with Math Gains on State Assessments



NO CHILD LEFT BEHIND—IMPLEMENTATION SNAPSHOTS

Anchorage—The State of Alaska DOE will release a list of failing schools as determined by the State's AYP formula in January 2003. Anchorage currently has no schools identified for school improvement, but stands ready to work with schools that are identified by the State.

Atlanta—Parents wishing to exercise their transfer option were asked to list the top three schools of their choice. The district negotiated personally with any parent whose highest preferences were filled to capacity and unavailable. The district had developed a plan to prioritize choice options to the lowest performing, low-income students, but has accommodated all transfer requests to date and has not utilized the priority system.

Austin—Austin ISD has offered a choice between 2 higher-performing schools to students seeking transfer. In general, the choices offered were within geographic proximity to the original schools to limit the length of bus ride for students. The district has not needed to limit which students can receive transfers, and has accommodated all requests to date.

Birmingham—Parents were given the opportunity to identify a 1st, 2nd, and 3rd choice for school transfers, which were in clusters of schools within transportation zones. The State has not yet released a list of approved vendors for supplemental services, and the district is waiting to notify the parents of eligible students that these services are available.

Boston—The school district has always offered a public school choice plan based on capacity, and will continue to do so. This choice will be offered to all students, and is not dependent on a school being low-performing. The State has yet to issue a list of supplemental service providers.

Broward County—No schools in Florida have been identified for school improvement. In assessing the quality of paraprofessionals, Broward County offers a state-approved "Teacher Assisting" course at district technical centers. The course provides successful participants with a certificate after meeting high levels of study, performance, and examination. The district is also using Title I funds for the Broward Teacher Corps, which includes a segment that provides paraprofessionals with 60 college credit hours over 2 years. The district will allow paraprofessional candidates to use the "Teacher Assisting" course, the Broward Teacher Corps, or specific assessment results to demonstrate they are qualified.

Clark County—All students requesting a transfer from schools identified for improvement will be accommodated in Clark County. The district sent a letter to parents of all eligible children and held meetings at school locations to explain the choice provision. Current students were given a 3-month window to exercise the transfer option, and all new students will also be given an opportunity to choose a higher-performing school.

Cleveland—CMSD based the transfer system on geographic location and the number of seats available in higher-performing schools. Information on the transfer system is provided on the district website, and a brochure was also sent to parents. The brochure also included information on the availability of supplemental services, and the district will send a letter to parents regarding those options once a provider list is released by the State. The district already provides supplemental services through Sylvan Learning Centers, Read Right, and the HOSTS tutoring program, among others.

Columbus—The district will offer transfers not only to students in schools identified for improvement, but also to students in schools identified by the district as "prevention schools". Prevention schools were originally included on the state's school improvement list, but were removed once the qualifying criteria were changed. The district is planning on providing afterschool tutoring programs for elementary reading and mathematics, and is also considering proficiency academies and summer school programs. The State has yet to issue a list of supplemental service providers.

Denver—In January 2002, the district provided the parents of 22,000 students in Title I school improvement or corrective action locations with written notification of the status of their child's school, as well as information about the DPS Choice process. The notice emphasized the right of parents to transfer their students to another school, in particular ones that were not identified for school improvement or corrective action. The district also promoted extensive coverage of Choice in local media, and parked a school bus with eye-catching Choice graphics at various high-traffic sites throughout the district. To date, over 3,000 students from low-performing schools have transferred to schools that are not in school improvement. Seventy-five out of 85 elementary schools were able to accept 100 percent of the students that applied to them in the First Round of Choice; 18 out of 21 middle schools were able

to accept 100 percent of applying students in the First Round. The district is also looking at ways it can improve the Choice program for the 2003–04 school year, including an earlier start date, revising the letter to parents, and broadening the Choice options of schools for students.

District of Columbia—Parents were notified of the transfer option over the summer, through letters and information on the district website. Receiving schools that students could transfer to were chosen on the basis of geographic proximity and academic achievement. Parents were given a cluster of 2 to 5 choices depending on their address, and most students received four choices. The district has also distributed information to parents regarding the availability of supplemental services, and additional information will be sent to homes when a provider list is finalized.

Indianapolis—The district sent a letter to parents at the end of the 2001–02 school year and also held meetings explaining the transfer options that would be available for the upcoming school year. Current parents were given a month over the summer to exercise this option, and new students were given the chance to transfer until the start of the school year. Students at each identified school were given two options of higher-performing schools to choose from.

Long Beach—The district has 12 schools eligible for public school choice under No Child Left Behind, and informed parents of the transfer options in a letter in July. Parents had until September to exercise their choice option, and students were offered transfers within the district's transportation zones.

Nashville—Current parents were informed of the new choice provisions in late May and had until early August to exercise their child's option, while parents of new students had until just before the start of school. Brochures were sent out in multiple languages, schools held parent meetings to discuss the transfer option, and the district promoted the new, choices in local newspaper, television, and other media. Parents of eligible students were given a choice of schools within their geographical cluster, and the district also considered "write-in" choices if a parent's preference was not listed.

Norfolk—Despite having no schools identified for improvement, the district will continue to provide individualized after-school tutoring among its extended day offerings. Computer-assisted lessons are one successful approach the district has employed in Norfolk's after-school programs.

Philadelphia—In addition to the existing state-approved school choice program, the district has begun a No Child Left Behind choice program, which targets the highest-poverty schools in the district's ten Academic Areas. Eighty-two higher performing schools were identified to receive transferring students, and parents were informed of their options in a letter this summer. The district also sent a letter to parents regarding the availability of supplemental services, which will be offered by state-approved vendors in district schools. The supplemental services program will begin as soon as the State issues a list of approved providers.

Saint Louis—The district sent letters to parents at the beginning of August explaining the transfer option, and outlined the choice of available high-performing schools. The schools accepting transferring students are high performing, and are not likely to be identified within the next few years. The district currently has 56 higher-performing schools that are at full capacity, and are unable to accept additional students for the 2002–03 school year.

Saint Paul—School choice under Title I is being addressed through the district's usual school choice system. All parents annually are given the opportunity to sign up for the school(s) of their choice from a wide array of magnet and citywide schools with a variety of curriculum choices. Of the 451 students from low-performing schools who have exercised their transfer option to date, 448 students received their first choice and 3 students received their second choice. The district will also operate Area Learning Centers (ALC) as part of the statewide after-school initiative. ALC targets at-risk K–6 graders in extended day sessions at the school site, and has an academic focus on language arts and mathematics. The centers are run by Minnesota-licensed teachers assisted by paraprofessionals, and students are also given the opportunity to complete homework, read books, and work in computer labs. All students participating in these extended day programs are given a free snack, and transportation is provided to eligible students living outside of the walking distance to school.

San Diego—Parents may exercise their transfer option through early October, and the district has added additional bus routes and schools to their existing enrollment system specifically for students transferring from low-performing schools. The district is a state-approved supplemental service provider, and will offer programs in reading and mathematics for elementary and middle school students, as well as after-school preparation for the California High School Exit Exam for high school students. These programs have an average class size of 10:1, and are taught by

teachers with enhanced instructional materials and specific professional development opportunities. The State identified only three other supplemental service providers in the geographic area, one of which has already indicated that it will not accept any additional students.

Seattle—The district has been a leader in school choice options for families and these opportunities will continue with No Child Left Behind. Parents can request any school in the district, and 90 percent of on-time applicants received their first or second choice last year. Parents are advised where they can find more information about each school, including a summary of school activities and data on demographics, attendance, and test scores. All schools offer tours to interested parents and many schedule open houses as well. Parents can visit one of five enrollment centers around the city for more information, including a Bilingual Family Center with a multilingual staff and specific information for students whose first language is not English.

Title I.—Schools and School Improvement Status

	Total schools	Title I schoolwide	Title I targeted	Non-Title I schools	No. of schools in sch. impr.-1	No. of schools in sch. impr.-2	No. of schools in corrective action	No. of schools in restructuring
Anchorage	84	13	5	66	0	0	0	
Atlanta	104	87	2	15	2	15	7	0
Austin	107	60	0	47	2	2	0	0
Birmingham	79	62	3	14	3	2	0	0
Boston*	131	125	0	6	66	0	0	0
Broward County	224	83	0	141	0	0	0	0
Clark County	277	40	6	231	2	1	0	0
Cleveland	123	97	13	13	9	12	5	2
Columbus	140	114	0	26	18	24	20	0
Denver**	137	32	33	72	41	0	3	0
District of Columbia	149	149	0	0	15	0	0	0
Fort Worth	114	65	0	49	0	0	0	0
Guilford County	101	32	11	58	0	0	0	0
Hillsborough County	186	103	0	83	4	0	0	0
Indianapolis	80	18	37	25	5	5	0	0
Long Beach	85	60	8	17	3	0	0	
Miami-Dade	333	172	2	159	0	0	0	
Nashville	117	54	0	63	4	0	0	0
Norfolk	55	18	0	37	0	0	0	0
Philadelphia	265	225	40	0	0	0	178	0
Saint Louis	95	90	3	2	17	0	0	
Saint Paul	67	44	7	16	2	16	0	0
San Diego	165	96	0	69	11	27	2	0
Seattle	110	37	0	73	6	0	0	0
TOTAL	3,328	1,876	170	1,282	210	113	215	2

*Massachusetts DOE will release a revised list of schools identified for improvement in November 2002.
 **All of Denver's Title I targeted programs will become schoolwide in 2002–2003.

FOUNDATIONS FOR SUCCESS—CASE STUDIES OF HOW URBAN SCHOOL SYSTEMS
IMPROVE STUDENT ACHIEVEMENT—REPORT ABSTRACT

I. GOALS OF THE STUDY

The movement to reform education in the U.S. is fundamentally about improving urban public schools. Every debate about standards, testing, governance, busing, vouchers, charter schools, social promotions, class sizes, and accountability are discussions—at their core—about public education in the cities.

These discussions are worth having, for nowhere does the national resolve to strengthen its educational system face a tougher test than in our inner cities. There, every problem is more pronounced; every solution harder to implement. The burden of not solving these problems or implementing successful improvement strategies has fallen disproportionately on the African American and Latino children, children with disabilities and those learning English who live in the poverty-stricken cores of America's major cities.

The Nation cannot afford to ignore these communities, for urban schools enroll a large share of America's children. While there are 16,850 public school districts in the United States, one hundred of those districts serve approximately 23 percent of the nation's students. These districts, many of which are located in urban areas, also serve 40 percent of the country's minority students and 30 percent of the economically disadvantaged students.

This report and the longer-term project of which it is a part focus on the potential role of the school district as an initiator and sustainer of academic improvement. While there has been much research on what makes an effective school, there is relatively little, on what makes an effective district. In fact, many see large urban school districts as a source of problems rather than solutions. But for school improvement to be widespread and sustained, and for our Nation to reduce racial differences in academic achievement, large urban districts must play a key role.

Over the past several years, the Council of the Great City Schools has embarked on an effort to understand student achievement patterns in large urban school districts and to develop ideas for how more districts can raise achievement. Previous Council research has shown that academic achievement is improving in urban schools and has identified a set of urban school districts that are making the fastest improvements, both overall and in narrowing differences among racial groups.

This report extends the existing research by examining the experiences of three large urban school districts (and a portion of a fourth) that have raised academic performance for their district as a whole, while also reducing racial differences in achievement. It attempts to use the experiences of these school districts to address the following questions:

1. What was the historical, administrative, and programmatic context within which student achievement improved in these districts?
2. How can we characterize the nature of the changes in student achievement, and what were the sources of these changes (specific schools, subgroups of student, etc.)?
3. What district-level strategies were used to improve student achievement and reduce racial disparities?
4. What was the connection between policies, practices, and strategies at the district level and actual changes in teaching and learning in the classroom?

The Council and the Manpower Demonstration Research Corporation (MDRC) intend to use the answers to these questions to identify hypotheses for further study of promising practices at the district level and to develop recommendations for technical assistance in support of reform efforts in large urban school districts. Further, the Council and MDRC hope to encourage a line of discourse and research regarding the role of large urban districts in school reform.

How Were the Case Study Districts Selected?

The Council's Achievement Gap Task Force, together with its Research Advisory Group (which is made up of nationally known researchers and practitioners), identified three case study districts. These districts: Houston Independent School District; Charlotte-Mecklenburg Schools; Sacramento City Unified School District; and a portion of a fourth (the Chancellor's District in New York City) were selected because they met the following criteria:

- They demonstrated a trend of improved overall student achievement over at least 3 years.
- They demonstrated a trend of narrowing differences between white and minority students.

- They showed consistent improvement over at least a 3-year period and they were improving more rapidly than their respective states.
- They were a set of geographically representative urban school districts.

What was the Methodology for the Study?

This research is based on (1) retrospective case studies of these districts and (2) comparisons of their experiences with other districts that have not yet seen similar improvements. The case study districts are used to develop hypotheses about the reasons for improvements in achievement. The comparison districts provide a partial test of the hypotheses emerging from the analysis of the case study districts. While the comparison districts cannot provide definitive support for the hypotheses developed in the case study districts, they were used to discard possible hypotheses and to better understand what is unusual about the case study districts.

II. THE EDUCATIONAL CHALLENGES FACING URBAN SCHOOL DISTRICTS

The large urban school districts examined in this report face a common set of challenges that exist above the level of individual schools. The primary challenges include:

Unsatisfactory Academic Achievement

The reform efforts were driven by the concern that schools were failing their students—especially low-income and minority students—and that improving this pattern was the district's most important priority. In both the case study districts and the comparison districts, achievement for minority and disadvantaged students was noticeably below that for white and more affluent students. And the differences by race and economic status increased as students grew older.

Political Conflict

In each of the three case study districts, there had been a period when the school board was divided into factions, and much of its activity revolved around disputes over resources and influence. The school board's "zero sum" arguments often dealt with salaries, hiring and firing decisions, student assignment procedures, and school construction and closings. Factional disputes between department heads, the board versus the superintendent, superintendents versus principals, or principals versus teachers were common and often became serious and personal. At times, infighting was intense because the district was a major employer (especially for groups that historically faced discrimination in the labor market) and because participation in educational politics was a stepping-stone for higher political office. As a result, the leadership in these districts was often not focused primarily on improving student achievement.

Inexperienced Teaching Staff

Each of the case study districts acknowledged that they needed to deal with the fact that much of their teaching staff was relatively inexperienced and suffered from high teacher turnover, especially once teachers gained some initial experience. In part this was due to the challenge of recruiting and retaining teachers when school districts in the surrounding areas could offer teachers higher salaries, better facilities, a less challenged student body, and were seen as less stressful working environments. These difficulties were compounded by the limited training that the districts offered new teachers before they entered the classroom.

Low Expectations and a Lack of Demanding Curriculum

In each of the districts, staff felt overwhelmed at times by the great challenges that many of their lower-income and minority students faced. This led some staff to reduce expectations for achievement in the lower grades and justify the students' lack of progress. In the higher grades, where instruction and expectations can differ starkly across groups of students, low-income and minority students were underrepresented in college preparatory and advanced placement classes. In some schools that served primarily low-income and minority students, the more demanding classes were offered infrequently or not at all.

Lack of Instructional Coherence

The study found that all districts suffered from having different educational initiatives and curricula in individual schools. Likewise, the districts discovered a lack of alignment between instruction and the State standards. Each of the districts had recently experimented with site-based management, which had produced a variety of different educational strategies within each district. This often proved confusing to school-level staff and difficult for the district to support. Additionally, the professional development strategy was fragmented; professional development was not fo-

cused on a consistent educational strategy (either of instruction or curricula) and often consisted of one-shot workshops on a series of topics.

High Student Mobility

Previous research suggests that moves between schools can undermine student learning. This problem may be exacerbated by variations in instructional approach. District leaders believed that the high rate at which students moved from one school to another within the districts disturbed the continuity of instruction students received in subjects such as reading and math. Some staff also noticed higher rates of mobility in the low-income student population and considered that another strike against their ability to achieve.

Unsatisfactory Business Operations

One of the most frustrating aspects of daily life for teachers and principals in ailing urban schools is the difficulty they face in getting the basic necessities to operate a school. All too often, school facilities were poorly maintained or dangerous, students were taught by substitutes for part or even all of the school year, and teachers lacked an adequate supply of books and materials. At times district business operations were managed by staff who had been promoted because of tenure in the district, rather than their particular qualifications. Administrative systems were outdated and cumbersome, and new expertise was needed to bring them up to speed. In some of the districts there was the perception—and too often the reality—that direct political influence by school board members and other elected officials affected decisions such as hiring, promotions and assignments, and contracts for supplies or services. Finally, school level staff viewed the central office as unresponsive, bureaucratic, and micromanaging, rather than working to find real solutions.

Three Key Contextual Factors That Affect Change

1. The Uncertainty of Funding

None of the case study districts were in desperate financial circumstances, but each of the districts faced budget pressures, in some years had to cut back spending, and had lost bond elections to raise funds for capital improvements.

2. State Focus on Accountability

Evolving State accountability systems with strong academic achievement goals helped focus local attention on student achievement. Thus, each of the three case study districts operated within a broader policy context that emphasized student academic achievement, concrete goals for improvement, and incentives and consequences for performance.

3. Local Politics and Power Relations

The process of decisionmaking in the case study districts was complex and had to accommodate many different interests. However, there were important differences from older, central city districts where interest group politics are more volatile and where the vast majority, of residents and the student body are from a single racial group.

III. KEY FINDINGS

The Need to Establish Preconditions for Reform

The individual histories of these fasterimproving urban school districts suggest that political and organizational stability over a prolonged period and consensus on educational reform strategies are necessary prerequisites to meaningful change. Such a foundation includes:

- A new role for the school board whereby a new board majority (or other governing unit) focuses on policy level decisions that support improved student achievement rather than on the day-to-day operations of the district.
- A shared vision between the chief executive of the school district and the school board regarding the goals and strategies for reform.
- A capacity to diagnose instructional problems that the school system could solve.
- An ability to flesh out the leadership's vision for reform and sell it to city and district stakeholders.
- A focus on revamping district operations to serve and support the schools.
- A matching of new resources to support the vision for reform.

What Were the Districts' Strategies for Success?

The case study districts' approaches to reform shared the following elements in common:

- They focused on student achievement and specific achievement goals, on a set schedule with defined consequences; aligned curricula with State standards; and helped translate these standards into instructional practice.
- They created concrete accountability systems that went beyond what the states had established in order to hold district leadership and building-level staff personally responsible for producing results.
- They focused on the lowest-performing schools. Some districts provided additional resources and attempted to improve the stock of teachers and administrators at their lowest-performing schools.
- They adopted or developed districtwide curricula and instructional approaches rather than allowing each school to devise their own strategies.
- They supported these districtwide strategies at the central office through professional development and support for consistent implementation throughout the district.
- They drove reforms into the classroom by defining a role for the central office that entailed guiding, supporting, and improving instruction at the building level.
- They committed themselves to data-driven decisionmaking and instruction. They gave early and ongoing assessment data to teachers and principals as well as trained and supported them as the data were used to diagnose teacher and student weaknesses and make improvements.
- They started their reforms at the elementary grade levels instead of trying to fix everything at once.
- They provided intensive instruction in reading and math to middle and high school students, even if it came at the expense of other subjects.

How Did the Comparison Districts Fare in Their Efforts?

While the comparison districts claimed to be doing similar things, there were several important differences that prevented them from achieving similar gains:

- They lacked a clear consensus among key stakeholders about district priorities or an overall strategy for reform.
- They lacked specific, clear standards, achievement goals, timelines and consequences.
- The district's central office took little or no responsibility for improving instruction or creating a cohesive instructional strategy throughout the district.
- The policies and practices of the central office were not strongly connected to intended changes in teaching and learning in the classrooms.
- The districts gave schools multiple and conflicting curricula and instructional expectations, which they were left to decipher on their own.

What Were the Trends in Academic Achievement?

• The academic achievement data collected as part of this study suggest that the districts in this study had indeed made progress in academic achievement and that this progress had begun to reduce racial disparities in student performance on standardized tests. Progress in each of the case study districts, moreover, generally outpaced statewide gains.

• This was particularly the case for the low end of the achievement distribution. The patterns of change and the magnitude of changes do not suggest that they were driven by small numbers of schools or students or were the sole result of State "effects."

• Progress was greatest at the elementary school level, and there was evidence of some improvement in achievement trends at the middle school level. However, these school districts are not yet generally making progress on overall achievement and racial differences in high schools.

IV. IMPLICATIONS FOR NEXT STEPS

In many ways, these findings represent good practices for any type of organization: set priorities and specific goals; identify appropriate roles for parts of the organization; select or develop the techniques needed to move toward the goals given the local context, staff, and student body; collect and use information to track progress, identify needed refinements and areas of special needs; and stay on course long enough for the effort to pay off. There are few surprises here, just hard work.

But taking these common-sensical steps in the complex world of urban school districts with many diverse stakeholders, frequent leadership changes, competing priorities, limited resources, and difficult-to-manage bureaucracies is not a straightforward process. A key contribution of this study, therefore, is to suggest some priorities for urban school districts and to provide concrete examples of how several urban school districts successfully, focused on student achievement and what they saw as necessary steps toward improvement.

This study is exploratory in nature and is not designed to yield definitive conclusions regarding the factors that drove achievement in these particular districts. However, the evidence gathered in these districts does support a few tentative conclusions that further technical assistance and research efforts should endeavor to test. These hypotheses are interrelated but can be loosely categorized into several topic areas: the foundations for reform; instructional coherence; and data-driven decisionmaking. In particular, the evidence in this report suggests the following hypotheses regarding the role of the district in urban school reform.

Building the Foundations for Reform

- The nature of the local political and public discourse about schools is important and can be changed. But first, school board, community leaders, and superintendents must agree that improved student achievement is their top priority.
- A sustained focus on enacting effective reforms is possible when a common vision is developed that is supported by a stable majority of the board, and when the school community and general public are engaged in providing feedback and support.

Developing Instructional Coherence

- The central school district office can play a key role in setting district-wide goals, standards for learning, and instructional objectives; creating a consistency of instruction in every school; and supporting the improvement of instruction and the effective delivery of curricula throughout the district.
- Urban school districts face specific challenges. Providing a systematic, uniform, and clearly defined approach to elementary instruction may improve student learning and have an even larger positive effect on the disadvantaged and minority children served by these districts.
- Giving teachers extensive professional development to ensure the delivery of a specific curriculum may be more effective at improving instruction and raising student achievement than distributing professional development resources widely across schools or educational initiatives.
- Requiring, encouraging, or providing incentives for highly skilled administrators and teachers to transfer to low-performing schools may improve the stock of staff at those schools and help disadvantaged and minority children succeed.

Data Driven Decision Making

- Teachers may be able to use achievement data as a tool to help them improve instructional practice, diagnose students' specific instructional needs, and increase student learning/achievement. However, teachers and principals need such data given to them at regular intervals from the start of the academic year, along with training in the use of these data to diagnose areas of weakness.
- Students may be assigned to classroom situations that are more beneficial to them if administrators carefully use assessment data in placement decisions to identify students with the potential to do more demanding work. This practice may also increase the odds that disadvantaged and minority students will be able to qualify for high-level classes.

The experiences of these districts, and the perspectives of the leaders in these districts, suggest one final hypothesis: doing all of these things together can have a much larger impact on the performance of a district than doing any one of them alone. Indeed, unless a district tries to reform their system as a whole, trying any one of these approaches may be a wasted effort.

In the end, the findings in this study underscore the importance of the district as a unit of analysis for research and as a level of intervention for reform. It is important next to refine the hypotheses regarding promising practices at the district level and establish a strong empirical basis for understanding the relationship between these educational improvement strategies and changes in teaching, learning, and student achievement in large urban school systems. The findings also underscore the importance in testing these strategies in diverse settings as possible, so as to establish their applicability to the systems where reform is most needed.

The CHAIRMAN. Wanda Gaddis, welcome.

**STATEMENT OF WANDA GADDIS, PARENT, WASHINGTON, DC,
ON BEHALF OF THE NATIONAL PTA**

Ms. GADDIS. Good morning, Chairman Kennedy and members of the committee.

My name is Wanda Gaddis. I am a parent, and my daughter Ashley is a first-grader at Bruce-Monroe Elementary School in the District of Columbia.

I am here today representing National PTA. Parents are key players in the education debate, so I thank you for the opportunity to express my views.

First, I would like to commend you, Mr. Chairman, as well as Senator Reed and other members of this committee, for your dedication to school improvement and parent involvement. You led the way to strengthening the parent involvement provisions in the law, and we thank you for your commitment.

PTA members across the country celebrated because they felt Congress sent a signal that parent involvement is an important reform tool.

I also want to thank you for your efforts to secure a sustained and long-term commitment to increased Federal funding for education. Your work is critical to ensure that all children have access to excellent public schools, and we pledge to continue working with you on these issues.

My statement can be summarized with three simple facts—effectively involving parents and families in the education of their children has greater potential impact than almost any other education reform. Excellent schools share common elements which include qualified teachers, a challenging curriculum, small class sizes, up-to-date materials and equipment, appropriate education support programs, strong leadership, and meaningful parent involvement. The components of effective schools cost money, and low-achieving schools do not have adequate resources to implement the strategies they need.

If you ask parents what they want in education, they will respond that they want every school to be an excellent school. Parents want all children to have a high-quality education. They want to see funding disparities among schools and programs eliminated. Parents want qualified teachers, small classes, and safe and modern schools for their children. They also want their children to have up-to-date textbooks and technology, and before- and after-school learning opportunities in their schools.

Title I parents want parent involvement provisions implemented to help students achieve. So far, most of the attention has been on parental choice, but choice is not parental involvement. Parents want to keep their children in their own neighborhoods so they can be part of their school communities. Parents want to be partners with their schools in their children's education. Most of all, they want a place at the decisionmaking table.

Let me tell you about how the Telling Stories Project brought me to the education table with my daughter Ashley. The Telling Stories Project is based on the belief that all parents, regardless of their background, can promote literacy at home, in the school, and in the community.

The project connects parents, educators, and communities. Through the Telling Stories Project, parents like myself work collaboratively with other parents from different backgrounds to create a school environment that values all cultures and family tradi-

tions, play more active roles in their children's classrooms and in the decisionmaking process of the school.

Like many other models of successful parents involvement, Telling Stories began with relationship-building. National PTA believes that all schools can have this type of effective parent involvement if States and schools make it a priority. National PTA believes that Congress and the Department of Education can help create strong partnerships and recommend that parent involvement policies be evaluated as part of a school's overall measures of success; more technical assistance be provided to show schools how to set up effective parent involvement practices; professional development programs to train teachers in how to build relationships with parents.

Increasing financial resources must be a priority at the Federal level, too. In fact, we believe that the single biggest problems that States and schools face in implementing Title I is a lack of funding. Title I only fully serves about one-third of all children who are eligible. We cannot expect 100 percent results when we only invest 35 percent.

Schools already face enormous challenges in educating children. The new law creates additional demands on States and schools, and many States are cutting their education budgets.

The reality is that States and local communities cannot do it alone. They need help from the Federal Government. National PTA believes that Congress should provide appropriations to meet the goals of ESEA, particularly in economically disadvantaged areas, and to prepare the future work force to meet the Nation's economic and defense needs.

Public education advocates are often criticized when they ask for more money. However, not one Federal education program has ever been funded to the level that would provide services to all who are eligible. Is money the only solution to problems in education? No. But we cannot assure that all teachers are highly-qualified, or implement parent involvement strategies as required in Title I, not to mention reduce class size, build and repair school facilities, provide needed support services, or purchase equipment and materials for free.

Thank you for the opportunity to present our views today. I will be happy to answer any questions you have.

Thank you.

[The prepared statement of Ms. Gaddis follows:]

PREPARED STATEMENT OF WANDA GADDIS, PARENT, WASHINGTON, DC, ON BEHALF
OF THE NATIONAL PTA

Good morning Chairman, Kennedy, and members of the Committee. My name is Wanda Gaddis. I am a parent, and my daughter, Ashley, is a first-grader at Bruce-Monroe Elementary School in the District of Columbia. I am here today representing National PTA, the country's largest child advocacy organization, which has 6.2 million members. Parents are key stakeholders in the education debate, so I thank you for the opportunity to express National PTA's perspective on implementing Title I, with our particular comments on what parents believe will help their children achieve high standards.

First, I would like to commend you, Mr. Chairman, as well as Senator Reed and other members of this committee, for your commitment to school improvement and to parent involvement. You led the way to strengthening the parent involvement provisions in the current law, and we thank you for the commitment you demonstrated on this issue throughout reauthorization of the Elementary and Secondary Education Act (ESEA). PTA members across the country celebrated the improved

parent involvement provisions because they felt Congress sent a signal to states and school districts that parent involvement is an important reform tool.

I also want to thank you for your efforts to secure a sustained and long-term commitment to increased Federal funding for education. Your efforts are critical to our success in assuring that all children have access to excellent public schools, and we pledge to continue working with you and your staff on these issues.

Before going further, Mr. Chairman, I would also like to say that my references to the term parent should be interpreted broadly to include all the adults who play an important role in a child's family life, since grandparents, aunts, uncles, step-parents, and guardians often have primary responsibility for a child's care and education.

From the perspective of parents, whose job it is to help children learn outside the classroom, and from the viewpoint of families who have limited resources, I am here today to support Title I and to discuss successful implementation strategies.

Title I is the centerpiece of Federal involvement in elementary and secondary education, and ever since it was created in 1965, the program has been targeting Federal dollars to the schools and communities most in need of assistance to help low-achieving students succeed academically.

Title I has evolved over the years, with changes made in parent involvement strategies, the variety of services provided, the scope of coverage within schools, and other aspects related to emerging instructional beliefs and educational practices, but at its core, the program continues to provide basic academic skills to students who need additional help in achieving the state's high academic standards. In recent re-authorizations, including in the No Child Left Behind Act (NCLBA), the changes in Title I focused on coordinating programs, expanding schoolwide projects, improving student assessments, and increasing accountability. Fundamental to the success of Title I, the program remains extremely flexible so that states and school districts can decide how their funds are spent to meet local needs.

The total Federal appropriation for Title I is now over \$12 billion, and its programs touch nearly every school district in the country. More than 11 million children receive Title I services. Funds are used to develop special curricula that focus on the reading or math skills low-achieving students must master, to hire and train teachers who specialize in teaching children with special educational needs, or to extend the school day for additional instruction.

Since Title I was enacted, numerous evaluations of the program have demonstrated its effectiveness. First of all, research shows that Federal dollars are far more targeted to disadvantaged children than State funds. On average, for every \$1.00 of State funds school districts receive for each low-income student, they receive \$4.73 in additional Federal funding per poor student.

In addition, Title I funds have helped close the achievement gap between disadvantaged and non-disadvantaged children and given states and school districts money to implement reforms they would not otherwise have been able to afford. According to National Assessment of Educational Progress (NAEP) scores, the achievement gap between white and minority children is decreasing. Between the early 1970's and 1992, the difference in scores for white and black 9-year-olds narrowed by 23 percent in reading and math. Without Title I, these gaps would likely have been greater. More recent NAEP scores show improvements in reading for students in grades 4, 8, and 12, and Scholastic Assessment Test (SAT) math scores are at a 27-year high level.

Studies have also been conducted on the programmatic aspects of Title I, and education researchers have identified certain common elements in effective Title I schools. For example, effective schools share clear goals for high academic achievement. They use curricula and materials that are linked to strict academic standards, the compensatory instruction is well-coordinated with the regular course of studies, they have added opportunities for learning in school-based before and after-school activities, they place emphasis on quality professional development for teachers, and they have meaningful parent involvement. National PTA supports the idea that effective schools share these and other common criteria. Attached to this statement is our list of the components of an effective school.

If you ask what parents want to reform education, they will respond that they want every school to be an effective school. Parents believe it is vital to America's future well-being that all children have equitable access to a high-quality educational opportunity. Parents want the tremendous funding disparities among schools and programs, which lead to tremendous disparities in achievement, eliminated.

For purposes of this statement, I will divide our recommendations into two major categories: effectively implementing the parent involvement provisions in ESEA and increasing the Federal investment in education.

Over 30 years of research have demonstrated the impact parent involvement can have on student achievement, proving beyond dispute the positive connection between parent involvement and student success. Effectively engaging parents and families in the education of their children has greater potential impact than almost any other education reform. The evidence is convincing, but the challenge comes in transforming knowledge into practice, and practice into results.

While National PTA strongly supported the efforts during ESEA reauthorization to increase student achievement and strengthen accountability, we do not like, the overemphasis in the law on testing as the primary measure of school or student success. As mentioned, National PTA sees a number of other ways to evaluate success, and we believe the strengthened parent involvement provisions in NCLBA offer critical accountability tools that are being overlooked in implementation of the law. National PTA has recommended to the Department of Education that they issue regulation or guidance on parent involvement to ensure that states and school districts are aware of the new provisions and understand what they need to do to make them work.

Instead, most of the attention has been on parental choice, particularly the required choice provisions in Title I. Choice, however, is NOT parental involvement. In fact, recent articles about the choice options in NCLBA indicate that parents are choosing to keep their children in their own schools. They do not want to send their children to other schools. They want to improve their neighborhood schools so they can be a part of their school communities.

Parents want their children to have qualified teachers. They want their children to be in classes that are not overcrowded. They want school buildings that are safe from hazards and modernized for today's technology. They want their children to have up-to-date textbooks, and instructional materials to supplement their instruction. They want school-based before- and after-school learning opportunities for their children.

In brief, parents want what the definition of parent involvement the NCLBA promises. They want information about their children's education. They want training in ways they can be helpful to all students. Parents want to be partners in their children's education. Most of all, they want a place at the decisionmaking table.

Let me tell you about how the Tellin' Stories Project brought me to the table with my daughter, Ashley. This project is based on the belief that all parents regardless of their nationality, cultural background, native language and level of formal education have the knowledge and experience to create their own literature and to serve as sources of literacy at home, in the school and in the community.

Through participation in a series of workshops, parents write and share their stories with their children and other parents. These stories become a part of the life of the school and the community as they document the struggles and joys of the past and create a vision of the future.

The project provides a much needed bridge that connects parents, educators and communities. Through the Tellin' Stories Project, parents:

- Work collaboratively with other parents from different linguistic, cultural, ethnic and racial backgrounds;
- Create a school environment that values all cultures and family traditions;
- Play more active and meaningful roles in their children's classrooms and in the decisionmaking process of the school; and
- Help develop the project as a model, which may be used in other communities.

Our parents get involved with our project so they can be more involved in the schools their children attend. Like many other models of successful parent involvement, Tellin' Stories begins with relationship building. When strong relationships can connect parents to the school, solutions to other problems can be developed. When regular communications can cover issues such as teacher quality, safety, absenteeism, parents can help coordinate their advocacy efforts.

National PTA believes all schools can have this type of effective parent involvement if it is made a priority at the State and local levels. National PTA believes Congress and the Department of Education can help create strong partnerships, and recommends that:

- A school's parent involvement policies should be evaluated along with its progress in raising student achievement, its offering of professional development opportunities, and the other requirements of the law. If parent involvement is part on a school's overall assessment, it will be likely more effective, and the increased parent involvement will have a beneficial impact on student achievement and other school improvements.
- There needs to be increased technical assistance from the Federal to State level and from the State to districts and local schools on how to institute effective parent

involvement research and practices. This could be accomplished in part through the use of existing, and new, parent resource centers, which could serve as clearing-houses of information helpful to states and schools.

- An increased emphasis on information sharing and dissemination is needed, through the Federal Government to the states and through the states to local districts. As mentioned earlier, there are thousands of successful schools across the country and thousands more that could benefit by replicating model programs of what is working.

- Title I professional development activities must include training on how to foster relationships with parents and encourage parent involvement.

The parent involvement provisions in Title I and other parts of ESEA provide a sensible outline for schools to develop stronger relationships between parents and educators. When parent involvement is a comprehensive, well-planned partnership, student achievement will increase. However, too often, the parent involvement provisions in Title I are not adequately implemented. That is why National PTA believes the Department of Education and Congress need to make this issue a priority at the State and local levels. ESEA helps educators and parents build partnerships, but these provisions are only as effective as the commitment and resources to implement them. National PTA continues to maintain that if ESEA is to help improve student achievement, and parent involvement is a leading indicator of success, then creating strong partnerships between the home and the school must be a priority for the Department of Education and the states.

Increasing resources must be a priority at the Federal level too. In fact, the biggest problem states and schools face in adequately implementing Title I is lack of funding. The Congressional Research Service estimates that the program only fully serves about one third of all children who are eligible'. We cannot expect 100 percent results when we only invest 35 percent.

Schools are under tremendous pressure to prepare students for jobs of the future, but they face enormous challenges in carrying out this mission. Schools are contending with record high student enrollments, an increased percentage of students with special needs, including limited-English proficiency (LEP) a projected teacher shortage, rapidly changing education technology demands; and a staggering need for school construction and modernization. In addition, states and schools must comply with new demands in the law and the recent economic downturn that has created deficits in State budgets that are in many cases being paid for with cuts to education:

Consider, these facts:

- This year, as a result of the "Baby Boom Echo" population growth, elementary and secondary schools will enroll 53.2 million students, nearly half a million more than last year. New enrollments will continue to grow for the next 7 years, with more than 54 million students expected in 2008!

- The Department of Education has reported that a large number of teachers are nearing retirement, which together with the unprecedented enrollments, is fueling a teacher shortage that will require hiring an estimated 2.2 million teachers over the next 10 years.

- The U.S. General Accounting Office estimates the cost of simply repairing schools to bring them up to minimal health and safety codes would cost \$112 billion. In addition, an estimated \$73 billion is needed to accommodate the rising enrollments, and billions more are needed to bring schools up to date with 21st century technology needs.

The reality is, while states and local communities have always had primary responsibility for creating excellent schools and are contributing all they can to their schools, they simply cannot do it alone. They need help from the Federal Government, which has as one of its primary roles to ensure access and equal opportunity to high quality education for all children. National PTA believes the Federal Government should provide budgetary appropriations that are adequate to meet these goals, particularly in economically disadvantaged areas, and to prepare the future workforce to meet the nation's economic and defense needs.

Public education advocates are often criticized when they ask for more money. The reality is, however, that not one Federal education program has ever been funded to the level that would provide services to all who are eligible. Further, in a poll conducted for the Committee for Education Funding, the nation's largest education coalition, 84 percent of voters said it is important that Federal funding for education, from Kindergarten through college, receive a substantial increase this year even if it means a larger Federal budget deficit.

The overall needs for elementary and secondary education are staggering, but even a quick glance at Title I shows the dramatic funding needs:

- The program only fully serves about one-third of those who are eligible. To provide services to all would cost a total of \$24 billion.
- Up to 20 percent of the funds from Title I may be taken from basic services to pay for supplemental services and transportation costs associated with public school choice.
- The new assessments, accountability, and teacher quality requirements will cost money to implement, and there are insufficient funds to cover the costs.

Is money the only solution to problems in education? No, but we cannot assure that all teachers are highly qualified or implement parent involvement strategies as required in Title I, not to mention reduce class size, build and repair school facilities, provide needed support services, or purchase equipment and materials for free.

National PTA believes that public education provides a common experience for building and maintaining a basic commitment to the values of a democratic—system of government. A strong public education system is vital to our nation’s well-being, and the Federal Government must be an active participant in strengthening this system. The Congress and the White House must continue to work together to strengthen America’s system of public education so that effective schools provide education excellence for all children to achieve high standards, become responsible citizens, and attain economic self-sufficiency.

Thank you for this opportunity to present our views today. I will be happy to answer any questions you may have.

The CHAIRMAN. Thank you very much for your testimony and for all the testimony.

What we were hoping to hear today is the reaction from those who are out in the field about the implementation of the No Child Left Behind Act, and I think we have received some very useful and important information on that particular challenge, and I am grateful.

I would like to start with Dr. Wheelan if I could. We saw as recently as today in The Washington Post the headline, “Top Teachers Rare in Poor Schools,” and there is another story as well with regard to reading issues and lack of funding. But I would like to just focus on “Top Teachers Rare in Poor Schools.” It talks about “Twenty percent of teachers in high-poverty schools left teaching and moved to other schools in 1999 compared to 12 percent in low-poverty schools.”

“Many education experts say that teachers must be paid more and supported by good administrators.”

The story goes on:

“Bruce Fuller, professor of education and public policy at the University of California: ‘But when it comes to professionalizing the teaching force, Mr. Bush has simply told the States that they must magically figure out a way to upgrade teacher quality, with no new resources.’”

We also have the report that has come out from the Southeast Center for Teaching, which shows that “Kids with uncertified teachers have 20 percent less academic growth.” We have those studies here.

I do not think it surprises the members of our committee, when we passed the No Child Left Behind Act, about the importance, among others, of having well-qualified teachers.

These studies underscore the importance of meeting the goal set out to ensure a highly-qualified teacher in every classroom. You have stated that you plan to do all that you can to meet the goal, including the professional development and mentoring programs. Can you elaborate on how you are doing this? Do you have the resources to do it? What additional help and assistance do you need?

What can you tell us about your programs in your State, the kind of success that they are having, and what needs to be done to really make a difference?

Ms. WHEELAN. The Governor has put in place a task force to study teacher quality that is comprised of members of the higher education community as well as the business community and people from K-12 as well, so that there is a dialogue to match what is needed in the classroom versus what the universities are teaching in the classroom. While that may seem kind of common sense, it has never happened before. We have had our higher education institutions teaching what they thought teachers needed to be able to do in classrooms, and in some cases had never visited a classroom, other than during student teaching.

One thing that I think has happened is that teaching started out as a women's profession, and women did not need a lot of money because they were not the sole source of their household, so we have never caught up with the kind of dollars that we put into other professionals. Given the infusion of the information technology arena and all the other jobs that are so much better-paid, we are losing a lot of quality people to other fields.

Having said that, I think what we are recognizing is that different school divisions, because of the populations of their children, do have different needs, and our higher education teacher training programs are recognizing that and now trying to provide the kind of—if you are going to a rural area, these might be your challenges; if you are going to a high-income area, these may be your challenges; if you are going to a district that has a large English-as-a-second-language population; recognizing also that working for “seasoned” teachers—I like that word better than “old”—for seasoned teachers to be matched with new teachers is extremely important, and that is not something that has been done regularly. So we are in the process of working with seasoned teachers to help them remember what it was like to be new teachers and what they need to do to help the new teachers. Probably the most frightening thing for a new teacher is that first day of class, when we have had all this education and training, but now it is me by myself. To have a seasoned teacher even just stop by during the day and say, “How are you doing?” and so on is very important. So we have formalized programs that are doing that.

We also have a cadre of retired teachers that we are bringing back to mentor some of the new teachers—but again, there are dollars involved when people are no longer on the payroll to provide incentive to bring them back. So additional dollars are needed for those kinds of mentoring programs as well as to recruit teachers into some areas that they may not consider working in, for example. Our small and rural communities are having a devilish time getting people to move to those communities because there is nothing else there, but counties like Fairfax County right outside Washington, DC are having just as much difficulty, because again, the challenges of working with students who have many disabilities and speak other languages is a challenge to them, and when you have 25 children in a class, all with different needs, it is very tough.

The CHAIRMAN. In one of the interesting programs that I saw when I visited North Carolina, they were actually recruiting people in these rural areas and training them. So, rather than trying to train teachers and sending them there, they were identifying people who were living there and training them.

Ms. WHEELAN. There are a lot of “grow your own” programs. I was out in Wythe County, for example, the other day during a convocation, and of the 30 new teachers, 18 of them graduated from the local high school. So there is a lot of that going on.

The CHAIRMAN. Yes, good.

In terms of having well-qualified teachers in the classrooms in Virginia, have you set some markers or some goals as to when Virginia is going to be able to do that?

Ms. WHEELAN. By 2005–2006, because that is what the law says. [Laughter.]

The CHAIRMAN. That is what the law says, but I was just trying to get a little feel for that.

Ms. WHEELAN. I think some divisions are farther along in being able to do that, but across the Commonwealth, it is going to take us that long.

The CHAIRMAN. Good, and we want to try to help you do it.

Let me ask you about the PASS program and how that is working. We have seen similar kinds of efforts made where States have developed teams that have the technical information and skills as well as the political skills to work within schools to help them improve.

Tell me about your PASS program.

Ms. WHEELAN. There is an excitement across the Commonwealth in both the academic community and the local community. Businesses are stepping up to the plate and offering their employees to be able to come in to do some mentoring and tutoring, or to do some painting, or to do some planting of plants, whatever it is that brightens up the learning environment and helps the children.

The faith-based community is stepping up to the plate in after-school and before-school and weekend programs to provide tutoring and mentoring for those students.

The academic teams that are going in are really exciting, because for once, we have educational institutions talking to each other from across the State. We have matched teachers and principals from Fairfax and Arlington and Loudon Counties here in northern Virginia with those in the city of Richmond, for example, because they have similar populations. Sometimes, it is just a matter of saying, “You know, they are asking you these questions on the test, but you are not teaching this in your curriculum; you have not lined up your curriculum.” To hear that from a colleague is very different than the principal coming in and saying, “You are not doing your job.” So it is going very, very well. Of course, we have only been into it for 3 weeks in the school year, but just building the excitement, and every time we have a gathering of folks, people are signing on more and more to get involved.

The CHAIRMAN. Good.

Let me ask Dr. Moloney, but also Dr. Wheelan and others, about the supplemental services. How have you begun to plan for the

supplemental services, and how are we going to ensure that they are high-quality? I would be interested in other reactions, too.

Dr. Moloney.

Mr. MOLONEY. I think the newness of the opportunities has obviously created some complexity. In the education industry, we are not famous for our rapid flanking movements, and a lot of districts are struggling with this.

We have a shortage of providers, because there has not been support for these kinds of services in law, certainly Federal law, in the past. Some districts are doing quite well. They have been imaginative. We have done our best to facilitate at the State level.

I would not for a minute say that the Congress should have had a longer time line, because frankly, I do not think you would have the level of attention to this if the time line had not commenced with this school year.

So better than we wrestle with these teething problems now. I can assure you that as time goes by, the performance will be much more to your liking. It is an exciting opportunity.

The CHAIRMAN. I will hear from others—Dr. Wheelan and then Dr. Casserly.

Ms. WHEELAN. In the Commonwealth, the Board of Education has developed a list of the services that are needed based on the law, and we have put out a group of RFPs, and we have gotten responses from all across the country—we are very glad about that—and by the end of the month, we should have a list of those services.

It becomes extremely important in the city of Petersburg, which has 10 schools, none of which is accredited, so there is no place for those children to go within the city of Petersburg. The surrounding school divisions of Chesterfield and Hanover are already filled to capacity, so there are not many seats available for them. So those supplemental services will become very important.

The CHAIRMAN. Dr. Casserly.

Mr. CASSERLY. This is kind of a mixed picture in terms of the implementation. Virginia and Colorado have been two of the States that have provided approved supplemental service provider lists to the local level, way ahead of many other States. We are discovering that many of our cities, however, have not received those lists, so many have gone about the process of trying to implement supplemental services on their own.

In some cases where the cities do have their lists—places like San Diego, for instance; San Diego is about the process of implementing supplemental services after school, including the San Diego school district proper, but we are finding that the three other service providers in the district have already indicated to the school system that they are at capacity and cannot take any more kids.

So we are struggling a little bit with this, and the process is not moving quite as fast as we had initially hoped, but I agree with Bill Moloney that over time, this will work out, and the good will of the people at the State and the local level will get this thing implemented. But it is a little slower on the uptake than we had originally expected.

The CHAIRMAN. Mr. Casserly, you talked about the progress that is being made in the 24 cities you surveyed. What are the common

needs of the cities, and what are your recommendations, and what has been the budget impact in terms of the implementation of these requirements?

Mr. CASSERLY. The initial challenges that we have really deal with supplemental service provisions, as I indicated, and with the choice provisions. We certainly, over the long term, are running into difficulties where we are going to need technical assistance in how to boost our overall student achievement, which is the overall goal of this legislation, and that is going to take both expertise from the State level and funding from the Federal level.

The choice provision has been particularly difficult to implement. We are running into cases in some cities, as I indicated in my initial statement, where cities simply do not have the capacity because so many of the schools are overcrowded already, and we haven't been able to place as many kids as we would like.

We have discovered, however, from information collection that we have been doing, that tens of thousands, in some cases 100,000 or more parents in some of the cities, have been notified that there are choice options, but the number of open seats is just not what we would have initially wanted. But I expect that over time, we are going to make this situation better.

One other thing that has been helpful for us is that in cities that were able to mesh their open enrollment programs with the choice provisions have had an easier time implementing choice. But most of the cities were not able to get those two processes to jibe because they had not been notified yet as to which schools in the spring were going to be in school improvement.

I think that in the outyears, what you will see is school districts meshing their open enrollment plans with this choice provision in ways that are going to give parents even greater options.

The CHAIRMAN. Just a final two questions. What do you hear from your cities in terms of the pressure that they have in terms of resources and the cutbacks from the State? Is that having an impact in terms of the implementation of No Child Left Behind?

Mr. CASSERLY. We are under extraordinary pressure. I cannot think of another institution, public or private that is under as much pressure as we are to improve our overall performance. But one of the things that has added to that pressure is the budgetary cutbacks that we have experienced over the last year or so. I think that on average, our cities have taken budget cuts of anywhere between 10 and 15 percent of their operating budgets. The Federal Government was really very, very helpful in stepping up to the plate this last appropriations cycle, but we are going to need those kinds of increases repeated in the next couple of years in order to get this law implemented successfully, because the cutbacks have been enormous in these cities.

The CHAIRMAN. Finally, Wanda, I want to ask you about your involvement in the school and in your child's education. Do you find that with the parents that you are talking to now, there is a greater effort to involve the parents more? Do you find that that is taking place now in your school and local school district?

Ms. GADDIS. Yes. The parents are coming out now, and they are getting involved in the school. A lot of the parents at my daughter's school, which is Bruce-Monroe, chose to stay there and make our

school better. We had a few who left, but we feel as though we can get our school changed if we stay there and work and bring out more friends.

What we do through the Telling Stories Project is try to bring in more parents every day. This morning, we had about 40 parents in a meeting this morning when I left. So they are coming out and being more involved.

The CHAIRMAN. That is certainly the hope, that we are going to provide a quality education for all children so they do not have to move, and that is certainly something that is going to be delayed if we are not providing the resources to be able to make those programs work.

Ms. WHEELAN. Senator Kennedy, one of the challenges we have, though, is that many of our parents are illiterate, or are themselves not high school graduates, and it makes it very difficult for them to provide assistance to their own children with their homework. So we have also built a literacy component into the PASS program so that parents can learn along with their children.

The CHAIRMAN. That is very worthwhile, and we have heard of the great successes they have had in a number of communities. So it is very, very valuable and very worthwhile and to be commended.

Senator Jeffords?

Senator JEFFORDS. Thank you, Mr. Chairman.

Secretary Wheelan, you mentioned in your testimony that more often than not, resources are pulled from other instructional programs to fund IDEA requirements. Do you have an estimate of the dollar amount that has been diverted to IDEA from other K through 12 programs within the last year or so?

Ms. WHEELAN. I do not know the specific dollar amount, but I can certainly provide that to you once I get back to the office.

Senator JEFFORDS. I would appreciate that very much.

Ms. WHEELAN. Certainly.

[Information follows:]

[Information was not available at press time, however, information is maintained in the committee files.]

Senator JEFFORDS. What specific K through 12 initiative are being shortchanged because of the shifting of dollars into IDEA?

Ms. WHEELAN. I would have to let you know, because it depends on where they are taking the money from. I do not know that any is being shortchanged. I think they are having to find other sources of funding for them from local community grants. Many of our foundations are having to kick in dollars to supplement some of those programs, and we are trying not to let them fall through the tracks just because we do not have the dollars.

Senator JEFFORDS. Can any of the other panelists help me out with information in that regard?

Mr. MOLONEY. I might offer a thought that would be useful. The structure of ESEA, which is 37 years old—it has been adapted through various reauthorizations—something that has been quite striking in our circumstances and I think in other States is that we are in a new era of standards-based education, with a premium on rigorous assessment and strong accountability. Of necessity, we

have had to adapt our uses of money to move in a direction of results as the primary test.

So we make no apology for that. We do not think we are short-changing old programs. Very frankly, some of the old programs—this happens in any institution—reflect priorities that are no longer as active as they once were. So the reallocation of moneys within our Federal programs, within our State moneys, is exactly what every school district in our State is doing. It is an appropriate response to the circumstance—put the resources where they are needed and have the courage occasionally to say to some old programs and even people still attached to them that we cannot do that anymore or that this has not worked as well as we had hoped.

So I think this is an inevitable process.

Senator JEFFORDS. Mr. Casserly.

Mr. CASSERLY. I do not have any firm figures for you. I do know that our school systems have, as I indicated before, been under enormous financial strain because of the dollar cutbacks because of the economy. We have also been under enormous financial strain because of the tug-of-war over priorities and resources within the school system, which is one of the reasons why we have always been eager for Congress to pass mandatory funding legislation for IDEA to help us take the pressure off the budgets and also meet the other priorities that we have in the school systems.

Senator JEFFORDS. Ms. Gaddis, do you have any comments?

Ms. GADDIS. No.

Senator JEFFORDS. My concern is that we do not recognize—or, the public does not seem to recognize, or at least the voters, that when we fund IDEA, that is a mandatory program which is court-required and that if the money does not come from where it should, that is, the Federal Government, then it has to come from somewhere. To me, that is the most critical problem we have, that we could reconcile if we just followed the intent of the law, and that is to fully fund IDEA. I do not think anybody is going to disagree with me on that, but I always want to raise that issue because there is so much misunderstanding, and the disabled children get the blame for things which are the Federal Government's responsibility.

Does anyone have any comment?

Ms. WHEELAN. Senator Jeffords, I think one thing that happens is that we end up increasing class sizes in the general class, for lack of a better classification, in order to be able to provide smaller classes for children with disabilities. That is one of the shifts that occurs, and while I am not critical of that, that then puts a burden on the teacher with a larger class to still meet the educational needs of all the children who are in that particular classroom. That is the kind of impact that creating the services that are necessary for students with disabilities when you have to take resources from another pot to put into those.

That is why I said I would not call it being "shortchanged" so much, but it does put a bigger burden on it. It means that local school divisions are having to make sure that they have facilities that are adequate, and in some school divisions, when there is only a handful of children with those disabilities and who rightfully should have the services that they need, it then creates some shift

in the rest of the population. Those are the kinds of things that happen as a result of those dollars not being there.

Senator JEFFORDS. Dr. Moloney.

Mr. MOLONEY. I could support what Ms. Wheelan has said. Despite the very considerable popularity of the notion of reducing class size, we know that it is far and away the most expensive reform option open to us, and districts find that when they go in that direction, inevitably, they must drain other program areas to do that. Often, programmatic changes, rather than one or two less in a class, is the better way to go. We have seen this in special education. We have a very enviable record, I think, of lifting achievement for youngsters with disabilities, and we can directly trace that success to programmatic changes, not a staff or class size variable.

Mr. CASSERLY. One other way to illustrate this tug-of-war that Mr. Moloney and Ms. Wheelan mentioned is that about 10 to 12 percent of all the kids in the cities—and I think probably nationally, too—are students with disabilities, but at least in the urban areas, services for these children garner about 18 to 20 percent of the budgets in these school systems, putting enormous pressure on other services in the school systems, and in an era where things are being cut back, it just puts an enormous strain on class sizes and teacher hiring across the board.

Senator JEFFORDS. Some in the education community have expressed concern that due to the increased testing in the No Child Left Behind Act and identification of a high number of students not meeting adequate performance levels, we may see an increase in the number of students being placed in special education.

Would each of you like to comment on that, please?

Mr. MOLONEY. There is a lot of ambiguity in this issue. You are certainly right in what you are hearing, Senator Jeffords. We commonly hear folks say that, "Well, because there is so much testing now, this, that, or the other thing will occur". The fact is that the United States tests 2½ times as much as the average of 16 industrial nations, so beyond a shadow of a doubt, there is too much testing going on in this country.

Inevitably, you have to go to the question of which test. Now, something that is playing out I think productively in Colorado is that with the great prominence of accountability testing which we began nearly 10 years ago and which you have ordained in H.R. 1, districts are making different kinds of decisions about their testing budgets. So what we are seeing is an actual decline in the amount of testing occurring and an actual decline in the amount of money being spent on testing in many, many districts. We regard this as a positive thing.

Particularly in some of our larger districts, we had an extraordinary array of different testing systems. We have talked with folks in Denver, Colorado Springs, and elsewhere, and testing systems tend to outlive their usefulness but not go away. So it has compelled some rigorous decisionmaking, and I think that that is a positive thing.

Mr. CASSERLY. I think this is a real danger that we have to be mindful of, that the testing requirements would result in the kinds of over-identification that you have indicated. On the other hand,

there is an opportunity here to use tests more wisely and to use them in a way to make sure that as students, particularly in their reading skills, start to fall behind that we put interventions in place in order to boost their reading scores rather than placing them in a special education program.

So I think there is a way of making the assessment system work in such a way to avoid exactly the fear that you are expressing. But I think it is worth being vigilant about this, because not everybody is going to use the assessments in this way.

Ms. WHEELAN. I have no data to support what you are suggesting, that the students are moving into special education classes instead because of the testing. We, like Colorado, have been in this business of assessment for at least 7 years, and I think that what we are doing instead is providing those additional services that students need before and after school to get them up-to-snuff.

The Act requires assessment once a year, but we do have quarterly and every-6-week assessment in many of our programs, especially the PASS programs, so that we can keep regular progress rather than waiting until the end of the year, when it is too late to do anything to help with the child.

So I am afraid we do not have that. We are currently testing in grades, 3, 5, 8, and high school, and the Act requires 3 on up, so we are going to have to get additional dollars to put in testing in 4th, 6th, and 7th grades. But I really do not know of any data in Virginia to support that those students are moved into special education. We even had a requirement that the State had put in before No Child Left Behind came along, that by the year 2003, this year, students had to pass an English and math test in the Commonwealth in order to get a high school diploma; otherwise, they will get a certificate of attendance. Schools have been working with parents for the last 3 years to make sure that we have alternatives to those exams to getting them to graduate, because the students in last year's and this year's classes did not have the benefit of 12 years of Standards of Learning, which is what we call our assessment system. Then, we recognize that they have not had all the instruction that perhaps they need to be successful. So we have put in other programs, but we have not put them in special education programs.

The CHAIRMAN. Senator, we are running short on time.

Senator JEFFORDS. Dr. Moloney wanted to comment.

The CHAIRMAN. Yes, go ahead. I will go over and vote, and I will tell them you are coming.

Senator JEFFORDS. Dr. Moloney.

Mr. MOLONEY. Just one additional note. You are absolutely correct, Senator Jeffords. This issue of over-identification has been with us for a long time. I recall it very well as a superintendent in Pennsylvania nearly 20 years ago.

What we found when we examined this was that the variable that led most commonly to over-identification was financial incentive. I think Massachusetts is experiencing something like this now. That certainly was against the intent of what the State legislature had wished.

But very frankly, where there were financial incentives to identify more youngsters, invariably, more youngsters were identified.

The State of Pennsylvania changed its legislation, and you saw a change there.

I think—and I feel strongly on this—that one of the best things about our program in Colorado—and others have noticed that, and credit has to be given to the 1994 reauthorization—is that we have drawn youngsters with disabilities into the arena of accountability and assessment in a way that they have not been there before. This has been widely applauded by parents of children with disabilities to, as much as possible, make their experience the same as that of other youngsters. The youngsters have responded to that. They do not have a feeling that they are being allowed to slip off the radar screen.

So there are complex dynamics in over-identification, and sometimes our intentions go in perverse directions.

Senator JEFFORDS. I thank all of you. We have a vote on now, so I will thank you for this very helpful information in this crisis that we have. I look forward to working with you in the future, and I know that I speak for Senator Kennedy as well. So keep up the good work, and keep the good information coming to us.

Thank you. The hearing is adjourned.

ADDITIONAL MATERIAL

OFFICE OF THE GOVERNOR,
Commonwealth of Virginia, September 20, 2002.

Hon. Edward M. Kennedy, *Member,*
U.S. Senate,
317 Russell Senate Office Building,
Washington, DC.

DEAR SENATOR KENNEDY: This is in response to your questions asked of me last week when I testified before the Senate Committee on Health, Education, Labor and Pensions on the implementation of No Child Left Behind (NCLB). During my testimony I emphasized the need for Congress to fully fund the Federal share of the Individuals with Disabilities Education Act (IDEA). Lack of sufficient resources to comply with IDEA mandates has not only made it difficult for school divisions to meet the needs of children with special physical, emotional and developmental needs, but also lessened the resources available for instructional programs for all students. You asked for specific examples.

Virginia currently receives \$170 million in Part B funds for IDEA. Full Federal funding of IDEA, that is 40 percent of the excess cost of providing special education, would be approximately \$453 million. At the State level, we would utilize the additional State set-aside money to enhance professional development opportunities for special education teachers including for example: additional stipends and tuition payments to assist teachers in becoming endorsed in special education; expanding our distance learning endorsement program; additional funds to our Training/Technical Assistance Centers; and in-service training for special education teachers. This, of course, would enable us to better meet the goals of IDEA as well as NCLB.

Many local school divisions would also use some of the additional IDEA funds to enhance the quality of the special education programs they currently provide. In addition, from numerous conversations throughout the state, I know that all local superintendents stretch to find ways to fund IDEA requirements and they contend that some instructional needs for other students go unmet as a result. In general, examples of unmet needs would include hiring more teachers to provide lower class sizes; the need to provide greater compensation to attract high quality principals and teachers; facility needs; and the ability to serve more "at risk" students in pre-kindergarten programs.

Attached are more specific examples from four school divisions of some priority needs they would pursue if they did not have to fund the Federal portion of IDEA. The four divisions provide a representative cross-section of rural and urban, large and small. It is assumed, of course, that IDEA's prohibition against "supplanting" would be clarified so as not to penalize local school divisions who have paid the Federal portion for decades.

Thank you for the opportunity to provide this information. I hope it is helpful. Please do not hesitate to call if you have any questions.

Sincerely,

BELLE S. WHEELAN, PH.D.,
Secretary of Education.

VIRGINIA LOCAL SCHOOL DIVISIONS—SEPTEMBER 19, 2002 SURVEY—FULL FUNDING OF
IDEA

GILES COUNTY PUBLIC SCHOOLS

2,538 students; \$179,900 annual increase in Federal funding if IDEA is fully funded.

Should Giles County Schools receive full funding or increased funding for IDEA requirements, we would begin to reduce our annual debt service of \$2,000,000 by redirecting those funds to:

- Reduce class sizes from the current level to 15:1 in at least Grades K–3. This could be accomplished by hiring teachers (\$250,000). Also, reduce class sizes from the current level to at least 20:1 in Grades 4–7 (\$450,000).
- Improve educational opportunities for our high school students by employing additional teachers to provide higher level math, science and technology courses, along with developing on-line courses for students to receive instruction in a non-traditional manner to accommodate those students who are unable to attend a regular daytime class; (\$350,000).

- Increase our opportunities for career and technical training by employing career specialists, teachers, on-the-job training worksite trainers and incentive funds for students to participate in such programs (\$250,000).

- Provide additional funds to our teachers for instructional supplies at a rate of \$50 per child (\$125,000)

GREENSVILLE COUNTY PUBLIC SCHOOLS

2,766 students; \$76,100 annual increase in Federal funding if IDEA is fully funded.

With \$76,000, Greenville would hire an additional teacher for kindergarten, lowering the pupil teacher ratio from 20:1 to 18:1 and also hire two aides to provide remediation on a computer based instructional program to serve 180 students a day.

HANOVER COUNTY PUBLIC SCHOOLS

16,6111 students; \$838,700 annual increase in Federal funding if IDEA is fully funded.

With an additional \$500,000 of available revenue annually, Hanover would drive down its class sizes from an average of 20:1 at the primary grade levels at selected lower performing schools to an average of 16:1.

With an additional \$800,000 annually, Hanover would fund a new program for 4-year old education, identifying students from families who desire the same services currently delivered effectively in Head Start programing, but are services for which Hanover residents may not qualify.

With an additional \$800,000 annually, Hanover would incur debt service payments of nearly \$15 million over 20 years, enabling the school district to eliminate largely substandard, temporary classrooms and afford all students a safe, nurturing environment for classroom instruction.

With an additional \$800,000 annually, Hanover would enhance its existing special education programming by adding staff to met many unmet needs, including:

- educational diagnosticians to conduct evaluations and assist with the placement of children;
- reading specialists to support those children at risk of being referred;
- autism specialists;
- additional special education buses with wheel chair lifts;
- additional cars to support special education needs;
- extended contract time for teachers to support the IDEA requirements;
- additional speech therapists and psychologists to support the IDEA requirements; and
- upgrade FM systems to support the hearing impaired population at all instructional levels.

ROANOKE CITY PUBLIC SCHOOLS

13,800 students; \$1,116,100 annual increase in Federal funding if IDEA is fully funded.

Examples of how Roanoke City School division would utilize \$1,116,100:

- Implementation of a seven period day for two high schools (costs \$1.028 million) in order to provide 3,150 high school students with additional academic course options (Roanoke City now has a six period day which limits students' elective choices).

- Expansion of our present preschool program to additional 3 year old at risk students would serve 375 children who require academic and social preparation to be successful at the primary grade level at a cost of \$996,000.

- Expansion of our after school tutoring and mentoring program for middle school students would serve 450 children who are at risk for academic failure and dropping out at a cost of \$227,500.

[Whereupon, at 11:02, the committee was adjourned.]