



**SENATE EDUCATION COMMITTEE GUEST LIST**

DATE - 1-15 02

<u>NAME</u>	<u>REPRESENTING</u>
Alexa Pichowski	KSDE
Bruce Wyatt	KSBE
Val DeFever	KSBE
<del>David Wagner</del>	—
Jed Swalwell	LDA KANSAS
Amy Brunner	KASB
Mark Tallman	<del>KASB</del>
Denise Aipt	USA / KKC
Craig Grant	HNEA
Josie Tetter	KCOO
Dale Huff	Families Together
Lin Douglas	USA -
Bella Scott	USA
Doug Bowman	CCECOS
PHILIP A. HURLEY	PAT HURLEY #60 / KEC
Elaine Frisbie	Div. of the Budget



January 15, 2001

TO: Senate Education Committee  
FROM: Dr. Andy Tompkins, Commissioner of Education  
SUBJECT: Preliminary Report on the Reauthorized Elementary and Secondary Education Act (ESEA)

As you know, the Congress has passed and the President has signed the reauthorization of ESEA. This sweeping legislation referred to as HR. 1, The No Child Left Behind Act of 2001, is very complex and will take several months to complete the final rule making and detail from the U.S. Department of Education that will be necessary to give states the specifics for complying with the act.

In order to give you an initial summary of the legislation so that you can begin seeing its potential impact, I include the following report. You will note that I have given you a listing of the various titles and parts for each title and then summarized some of the major provisions of the act. We believe that the State Board's current efforts to review the accreditation system and teacher quality data system as well as the redesign of the school report card will allow us to more easily incorporate the requirements of this legislation into our system.

The Congress and the President heard all of the arguments and concerns from the states and still overwhelmingly supported this legislation. Now we must implement the spirit and intent of this act and make it support our efforts to help all children learn well.

Overview of Titles and Major Provisions

***Title I Improving the Academic Achievement of the Disadvantaged***

- Part A Disadvantaged Children Meet High Academic Standards
- Part B Student Reading Skills Improvement Grants
- Part C Migrant Education
- Part D Neglected and Delinquent
- Part E Evaluations
- Part F Comprehensive School Reform
- Part G School Dropout Prevention
- Part H Advanced Placement
- Part I General Provisions

**Major Provisions**

- In 2002-2005, all states must test all students annually in reading and mathematics in one grade of 3-5, 6-9, and 10-12.
- By 2005-06 all states must test all students annually in grades 3-8 in reading and mathematics.

- By 2007-08 all states must test all students in science annually in one grade of 3-5, 6-9, and 10-12.
- State assessments must have at a minimum three achievement levels – basic, proficient, and advanced (these match those used in the National Assessment of Educational Progress).
- The state must define “adequate yearly progress” for all students, not just disadvantaged, which include state assessments and one other academic indicator for elementary schools and graduation rate for secondary schools that will result in all students reaching proficiency in 12 years. State must use 2001-02 data to establish the starting point for measuring progress. This system must fit into the state’s accreditation system.
- Schools that have not achieved “adequate yearly progress” for two consecutive years will be identified as needing improvement, receive technical assistance, develop a two year plan to meet “adequate yearly progress” goals, and provide transportation to students to attend another public school served by the local education agency.
- Schools that have not achieved “adequate yearly progress” for three consecutive years must continue to offer public school choice to all students in the school and provide supplemental educational services from a provider of the parent’s choice.
- Schools that have not achieved “adequate yearly progress” for four consecutive years must implement certain corrective actions such as replacing staff and implementing a new curriculum in addition to the other provisions offered previously.
- These provisions for schools not making “adequate yearly progress” begin in 2001-02.
- Beginning in 2002-03, each state must develop and submit to the public a report card which includes the following:
  - student academic achievement on state assessments disaggregated by subgroup,
  - a comparison of subgroups of students at basic, proficient, and advanced levels of academic achievement on state assessments,
  - graduation rates,
  - the number and names of school identified for improvement,
  - a comparison of actual academic achievement levels for all groups of students compared to the annual objectives for such groups,
  - the professional qualifications of teachers,
  - the percent of students not tested, and
  - an explanation of the state’s accountability system.
- Beginning in 2002-03, each school district and school must develop and submit to the public a report including similar information for the district and school on the information contained in the state report card.

- Students who have attended school in the United States for three consecutive years must be tested in reading and language arts in the English language with a provision that waivers can be granted up to an additional two years on a case-by-case individual basis.
- By 2003-04, all teachers' aides must have two years of study at a higher education institution, an associate's or higher degree, or met a rigorous standard of quality established at the local level, which includes an assessment in math, reading, and writing. All new hires in these positions must meet the new requirements beginning in the fall of 2002.
- Funds may be set-aside at the state level to provide rewards to schools and teachers that substantially close the achievement gap.
- By the end of the 2005-06 school year, each state shall ensure that all teachers meet the state certification requirements and must develop annual objectives in order to reach this goal.
- A "reading first" program is established to provide assistance to states and schools in establishing scientifically research-based reading programs for all children in kindergarten through grade three and provide fund for states to develop and implement a program of staff development.
- An "early reading first" program is also established on a competitive grant basis to enhance readiness for children in poverty who are age three and four.
- Funds are provided to help in upgrading school libraries.
- Funds are provided for a dropout prevention and school reentry program.

***Title II Teachers***

- Part A Teacher and Principal Quality Training and Recruiting Fund
- Part B Mathematics and Science Partnerships
- Part C Innovation for Teacher Quality
- Part D Enhancing Education Through Technology

**Major Provisions**

- This title consolidates a number of separate programs including class size reduction and the Eisenhower mathematics and science professional development program into a block grant to school districts to improve teacher quality in support of the requirement for the goal of all teachers fully certified by the end of 2005-06.
- Funds are provided to support partnership with states, districts, and higher education institutions in mathematics and science to align curriculum with higher education expectations, provide staff development to teachers of math, and encourage people to pursue teaching of mathematics and science.
- Funds are provided on a competitive basis to recruit mid-career professionals to teach in high need areas.

- Funds grants for improving the teaching of “Traditional American History”.
- Previous technology grant programs are consolidated into a single program.

***Title III English Language Acquisition, Language Enhancement, and Academic Achievement Act***

**Major Provision**

- This title consolidates the current Bilingual Education Act with the Emergency Immigrant Education Program to focus on teaching English to limited English proficient students.

***Title IV 21<sup>st</sup> Century Schools***

- Part A Safe and Drug-Free Schools and Communities
- Part B 21<sup>st</sup> Century Community Learning Centers

**Major Provisions**

- The safe and gun-free school program is reauthorized.
- The 21<sup>st</sup> Century Community Learning Centers Act, which currently is a nationally competitive program, will become a formula program to each state.

***Title V Promoting Informed Parental Choice and Innovative Programs***

- Part A Innovative Programs
- Part B Public Charter Schools
- Part C Magnet Schools Assistance
- Part D Fund for the Improvement of Education

**Major Provisions**

- Funds are provided to promote local innovation aligned with statewide reform efforts and meeting the educational needs of all students.
- Funds continue to be provided to assist states with public charter schools under provisions of a state statute.
- Funds are provided to the U.S. Secretary of Education to support nationally significant programs and projects to improve the quality of education at the state and local levels.

***Title VI Flexibility and Accountability***

- Part A Flexibility and Accountability
- Part B Rural Education Initiative

**Major Provisions**

- Provisions in this title grant greater flexibility to state and local school districts in the use of federal funds to address needs and priorities.



- The U.S. Department of Education has the authority to work with a limited number of states and school districts to consolidate eligible programs and waive statutory requirements in exchange for the results envisioned in H.R. 1.
- All states would be required to participate biannually in the fourth and eighth grade National Assessment of Education Progress assessments in reading and mathematics.
- Funds would be provided to assist rural school districts meet unique needs. Those who would qualify would have less than 600 students or a county population density of less than 10 persons per square mile and are designated in the School Local Code as a rural area.

**Title VII Native Americans and Alaskan Education Programs**

- Part A Indian Education
- Part B Native Hawaiian Education
- Part C Alaska Native Education

**Major Provision**

- This title maintains the currently funded programs.

**Title VIII Impact Aid**

**Major Provision**

- Retains the authorization of funds to states with federal military facilities and other qualifying federal property.

**Title IX General Provisions**

**Title X Amendments to Other Statutes**

- Part A Homeless Education
- Part B Indian Education within the Bureau of Indian Affairs (BIA)
- Part C Miscellaneous Other Statutes

**Major Provision**

- A provision in this title strengthens the support for the education of homeless children and youth.



# No Child Left Behind Act of 2002

**“This historic law offers all of us the promise of stronger accountability for results, more flexibility and local control, expanded options for parents and an emphasis on teaching methods that have been proven to work.” *Rod Paige***

Senate Education Committee

Date: 1-15-02

Attachment # 2



## **Purpose**

- **Opportunity to obtain a high quality education**
- **Ability to reach proficiency on challenging state standards and assessments**



## **How**

- **Holding all entities accountability**
- **Elevating the quality of instruction**
- **Targeting resources**
- **Closing the gap**
- **Providing flexibility**
- **Promoting schoolwide reform**
- **Coordinating services**
- **Involving parents meaningfully**

# Accountability: Testing

## Kansas

- Annual reading and math assessment in 3 grades
- Biennial science and social studies assessment in 3 grades
- ACT, SAT and advanced placement courses provide comparative data

## ESEA

- By 2005-06 annual reading and math assessment in 6 grades (3-8)
- By 2007-08 annual science assessment in 3 grades
- NAEP assessment biennially alternating reading and math provide comparative data

## **Accountability: Testing (cont.)**

### **Kansas**

- **Standard of excellence identifies students at the advanced level**
- **Five achievement levels are used including unsatisfactory, basic, satisfactory, proficient and advanced**

### **ESEA**

- **In 12 years all students must achieve at the proficient level**
- **A minimum of three achievement levels including basic, proficient and advanced**
- **LEP students in the U.S. for 3 consecutive years must be tested in reading and language arts in English**

# Accountability: Reporting Results

## Kansas

- Annual state report (accountability)
- Annual school report card
- LEA annual report to parents

## ESEA

- Annual state report card
- LEA annual report to parents
- LEA annual report to SEA

# Accountability: Reporting Results (cont.)

## Kansas

- Report card includes:
  - Student academic achievement
  - Comparison of subgroups
  - Graduation, dropout and attendance rates
  - Early warning system
  - Percent of students not tested

## ESEA

- Report card must include:
  - Student academic achievement
  - Comparison of subgroups
  - Graduation rates
  - Schools identified for improvement
  - Professional qualifications of teachers
  - Percent of students not tested
  - State's accountability system



## **Accountability: Adequate Yearly Progress**

### **Kansas**

- **Applies to Title I schools**
- **Must include a performance assessment**
- **Based primarily on state reading and mathematics assessment**

### **ESEA**

- **Must apply to all students**
- **Elementary must include another academic area**
- **Secondary must include graduation rates**
- **Must use 2001-02 data as starting point**

## **Accountability: Adequate Yearly Progress (cont.)**

### **Kansas**

**If schools don't meet AYP  
for 2 consecutive  
years:**

- **Will be identified as  
needing improvement,  
receive technical  
assistance, develop a  
plan, and offered  
school choice**

### **ESEA**

**If schools don't meet AYP  
for 2 consecutive  
years:**

- **Will be identified as  
needing improvement,  
receive technical  
assistance, develop a  
plan and provide  
transportation to  
attend another public  
school**

## **Accountability: Adequate Yearly Progress (cont.)**

### **Kansas**

**If schools don't meet AYP  
for 3 consecutive  
years:**

- **Will be identified for corrective action, district must take action, receive technical assistance, develop a plan, and offered school choice**

### **ESEA**

**If schools don't meet AYP  
for 3 consecutive  
years:**

- **Must continue to offer public school choice and supplemental educational services from providers of the parents choice**

## **Accountability: Adequate Yearly Progress (cont.)**

### **Kansas**

**If schools don't meet  
AYP for 4  
consecutive years:**

- **State will take  
corrective action**

### **ESEA**

**If schools don't meet AYP  
for 4 consecutive  
years:**

- **Must take corrective  
actions such as  
replacing staff and  
implementing a new  
curriculum while  
continuing to offer  
school choice and  
supplemental services**

# Accountability: Adequate Yearly Progress (cont.)

## Kansas

## ESEA

If schools don't meet AYP  
for 5 consecutive  
years:

- Must develop a plan, implement governance actions (e.g., state takeover, private management etc.), or staff restructuring

# Quality of Instruction

## Kansas

- By 2003, all teachers must be provisionally, conditionally or fully licensed
- Paraprofessionals must have graduated from high school

## ESEA

- By 2005-06, all teachers teaching core academic subjects must meet the state teaching requirements and establish objectives to reach this goal
- By 2003-04 all paraprofessionals must have 2 years of IHE study, an associates or higher degree or have met a rigorous standard via an assessment in math, reading and writing



## Targeting Resources

- Funds may be set aside to provide rewards to schools and teachers that close the achievement gap
- Funds are provided to help upgrade school libraries
- Funds are provided for dropout prevention and school reentry
- Funds are provided to support partnerships with states , districts and IHEs in math and science to align curriculum
- Funds are provided on a competitive basis to recruit mid-career professionals to teach high need areas
- Grant funds are provided to improve teaching of traditional American History



## Targeting Resources

- Funds are provided to promote local innovation
- Funds continue to provide assistance with public charter schools
- Funds support nationally significant programs and projects
- Funds are provided to assist rural school districts to meet unique needs
- Funds are provided to increase access to technology especially for high-need schools

## **Closing the Gap**

### **Kansas**

- **KSBE has placed a strong emphasis on reading**
- **Reading Excellence Act grant has been highly successful**

### **ESEA**

- **Establishes scientific research-based reading programs in K-3**
- **Provides reading readiness activities for ages 3-5**

## **Flexibility**

### **Kansas**

- One of the first ed-flex states
- Numerous districts waived federal regulatory requirements

### **ESEA**

- Greater flexibility to state and local districts in the use of funds
- Grants some states the ability to waive statutory requirements

# Schoolwide Reform

## Kansas

- Involved in Comprehensive School Reform Demonstration grants since its inception

## ESEA

- Assists schools in improving the quality of the entire school by implementing models with strong evidence of success
- Innovative programs supports benefit to any and all student populations in any and all schools to support local reform efforts and to implement promising educational reform programs and initiatives

## **Coordinating Services**

### **Kansas**

- **Local consolidated plans have been in effect since 1997**
- **Local consolidated annual reports have been available since 1997**

### **ESEA**

- **Maintains a single consolidated plan or application**
- **Replaces individual program annual reports with a single consolidated report**



# Parent Involvement

## Kansas

- School site councils have involved parents for the past 10 years
- Parent booklets on reading and on state standards have been disseminated

## ESEA

- LEP parents must be notified of placement in, choice of and removal from specialized programs
- Even Start continues to provide literacy services to parents
- Supports parent and community-wide involvement in drug and violence prevention

## **Parent Involvement (cont.)**

### **Kansas**

- **Programs such as Parents-as-Teachers and Even Start have involved parents in literacy activities as well as parenting activities**

### **ESEA**

- **21<sup>st</sup> Century Community Learning Centers increase students' and communities access to school building services, before and after school activities as well as parents access to literacy services**

**Kansas has much to build on as  
the new ESEA requirements are  
implemented.**

**Comparison of Budget Plans**  
(Prepared January 9, 2002)

Governor's "No Tax Budget"	Kerr/Morris Budget Plan
<b>FY 2002 (Current Year)</b>	
<i>Impact on School Districts</i>	
Reduce special education appropriation and use increased federal aid to keep special education funding at 85% of excess cost. \$13.7 million	Reduce special education appropriation and use increased federal aid to keep special education funding at 85% of excess cost. \$13.7 million
	Reduce base budget per pupil \$39 (1%) to \$3,831. \$23.7 million
Add funding for additional local option budget aid under current formula. \$22 million	Add funding for additional local option budget aid under current formula. \$22 million
<i>Impact on other state agencies</i>	
	Reduce all non-education, non-judiciary state general fund budgets 2%. \$25.7 million
	Reduce appropriation for Regents' schools by 1.2%. \$8.5 million
<b>FY 2003 (Next Year)</b>	
<i>Impact on School Districts</i>	
Maintain special education at 85%.	Maintain special education at 85%.
Add funding for increased local option budget use. \$30 million	Add funding for increased local option budget use. \$30 million
Reduce base budget per pupil \$158 (4.1%) to \$3,712. \$91 million	Not specifically addressed. Presumably frozen at \$3,831.
<i>Impact on other state agencies</i>	
Add funding for social services caseloads as required by current formulas. \$119 million	Add funding for social services caseloads as required by current formulas. \$119 million
Do not fund final year of higher education plan. \$45 million	Delay final year of higher education plan. \$45 million
Eliminate general fund transfer for the highway plan. \$147 million	Delay increase in general fund transfer for the highway plan. \$46 million
Additional cuts include higher education funding: \$27 million; social services funding: \$24 million; corrections: \$7 million	Freeze in all budgets at FY 02 levels "with exceptions."
<i>Additional "One Time" Funding Sources</i>	
	Add \$20.6 million from tobacco settlement.
	Add \$19.0 million from Intergovernmental Transfer.
	Lottery transfer: \$4 million.
<i>Total FY 2003 Expenditures</i>	
\$4.375 billion – meets statutory 7.5% ending balance requirement.	\$4.425 billion – amends ending balance requirement to 5%; rebuild balance to 7.5% over following four years.
<b>Fiscal Years After 2003</b>	
	Requires future revenues to increase ending balance; replaces one-time revenues.

Senate Education Committee  
Date: 1-15-02

Attachment # 3