

The Public School Forum's Friday Report

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Former Education Advisor Joins Race

JB Buxton has announced his resignation as Governor Easley's Senior Education Advisor to seek the Democratic nomination for State Superintendent of Public Instruction. Buxton becomes the sixth candidate to seek the office, with June Atkinson, Director of Instructional Services for the Department of Public Instruction, preparing to announce soon.

In addition to serving as the Governor's Senior Education Advisor, Buxton served as the Legislative Director of the State Board of Education. A previous experience as a White House Fellow was focused on education policy. The issues Buxton will stress during his campaign will be the importance of pre-kindergarten programs, building upon the success of the state's accountability program, recruiting and retaining high-quality teachers, closing the achievement gap, and improving our high school graduation rate, especially as an integral part of our state's economic development.

At the announcement, Buxton was surrounded by leading school superintendents, business figures, educators, and education-organization leaders who endorsed his candidacy. Tom Lambeth, former executive director of the Z. Smith Reynolds Foundation and Buxton's campaign co-chair, remarked that "J.B. understands the issues facing this state and he has built an impressive record of accomplishments."

To access the candidates website, go to http://www.ncforum.org/resources/nc_candidates.html

State News . . .

Wake County Reassignment Plan Sets a Record

The Wake County school administrators recently released their most recent reassignment plan. This plan sets a record by sending 7,838 students to different schools next fall, a number greater than that of students in all but 47 school districts. The largest reassignment before this year involved 5,055 students. This year's reassignment is large in part because seven new schools opened this fall. A draft plan was released in January, which would have reassigned 8,388 students. The school system received almost 2,000 comments, which helped reduce the list by 550 students. Ramey Beavers, senior director for growth management for the school system said, "As we've learned through the input session, sometimes other people have better information than we do."

Wake County (cont'd)

Annually Wake County school district reassigns thousands of students to fill new school, ease crowding, and promote diversity. Many of this year's changes involve reducing the number of low-income students at year-round schools from 1,089 students to 776. Some parents came away feeling that their comments were heard after the administrators decided to change some of the reassignment plan. Others whose children will still be reassigned plan to plead their cases next month.

Wake County school district has 108,970 students and is the 25th largest in the nation. This year a record 4,597 students enrolled in Wake County schools and an additional 4,180 are projected to start this fall. Schools Superintendent Bill McNeal said, "We don't present a growth management plan to you because we like pain. We bring it because it's in the best interests of the children in this community."

National News . . .

Governors Question NCLB; Oppose Medicaid Cuts

During its recent winter meeting, the National Governors Association (NGA) expressed concern over some implementation issues surrounding the No Child Left Behind (NCLB) act and some proposed reductions to Medicaid. According to *Education Week*, NGA's education director Dane Linn noted that "we're going to have to be willing to admit that there may be additional changes needed in the future, and to this point, the [U.S. Education] Department has been willing to make some of those changes." Linn stressed that additional changes would be necessary to insure successful implementation. Unfortunately because of Secretary of Education Rod Paige's comments about the National Education Association being a terrorist organization, the substantive conversation about NCLB and areas of reform never took place.

In addition to concerns surrounding NCLB, the NGA recently released a letter to the Senate Budget Committee leadership expressing that cuts in the Medicaid low income health care program proposed in the Senate's 2005 budget would result in states cutting benefits and patient rolls dramatically. The governors said, "We are writing to express our strong opposition to the inclusion of any Medicaid cuts in the fiscal year 2005 budget resolutions that you are now considering." They noted that many states have already enacted cuts to help deal with budget shortfalls. They wrote, "Medicaid funding cuts could add millions more to the ranks of the uninsured and would hard our nation's health care safety net."

The budget committee proposal was not available to the public yet, and the governors did not indicate how much will be cut, but according to some analysts President Bush's proposal intends to save \$10 billion over five years and \$24 billion over 10 years. Bush's proposal aims to address the fact that states can claim a greater federal reimbursement than the actual funds spent for services.

New York City Plans to Reconfigure Most Middle Schools

New York City education officials have devised a plan to improve schooling for young adolescents, which includes overhauling or eliminating as many as two-thirds of the city's 218 middle schools. Officials plan to replace the middle schools with kindergarten through eighth-grade grammar schools and new high schools for 6th through 12th graders. About half the city's middle schools have been designated "in need of improvement" by the federal government.

Almost three-dozen of the new schools would be completed by September, but the rest would have to wait for new building construction to take place over the next five years. Michele Cahill, senior counselor for educational policy to New York Schools Chancellor, said, "We are developing a multiyear comprehensive plan. We are looking as soon as September 2004 to have more configurations that we think improve continuity and improve student-teacher connectedness." She said, "The overarching goal is really to strengthen middle-grades education." In addition to school configuration changes, education officials plan to make changes to curriculum, the organization of the school day, and student support services. They also plan to increase personal attention for students and implement strategies such as a student having the same math teacher from grade to grade.

Other districts across the country have returned to kindergarten to eighth grade schools, but few have tried the 6th to 12th grade configuration. Sue Swaim, the executive director at the National Association of Middle Schools, said, "If we are not paying attention to what we know is appropriate for young adolescent learners, no matter what the grade configuration, we are not going to be making the progress that we need to be making. They are not larger versions of elementary kids or smaller versions of high school kids. They are a unique age group." James Kadamus, deputy New York State Education commissioner, said that statistical comparisons of schools based on test scores showed no benefit of one configuration over another. He still thinks that changes might be helpful. He said, "We think it provokes a conversation. By changing the grade configuration you bring everybody's attention to the fact that they need to be asking the right questions."

New curriculum and other regulations for middle schools are being developed by the state Board of Regents in response to five years of testing results that show that middle school students across the state are failing. New York States' tougher academic standards have resulted in gains for fourth graders in English and mathematics, but only modest improvement for eighth grade scores. Dr. Kathleen Cashin, a regional superintendent, said that the k-8 model offers many benefits, which are not all tied to test scores. She said, "It's an elementary-like nurturing environment. Because children are older doesn't mean they don't need that nurturing care of a loving, caring adult. I have found the attendance is better, almost always. The violence is less, the younger kids defuse the older and the academics are at least as good if not better." Proponents also say

New York City (cont'd)

that 6 through 12 grade schools offer a clearer path to college and that minimizing the number of times a student switches schools alleviates social pressure. Opponents say feel that an 11-year-old sixth grader is too young to be in the same building as 18-year-old seniors. Earnest Brown, a school board member who recently voted against a plan to reconfigure schools, said, “All of a sudden, K to 8. Does that mean the hormones won’t be raging? All of a sudden, K to 8. Does that mean the children won’t organize into cliques?” Regardless, the city has some real problems in trying to reconfigure schools, including the physical limitations of school buildings. The Education Department has proposed building 54 new K through 8 schools and up to 23 six through 12 schools under the five year, \$13 billion school construction plan.

Lowest Number of Charter Openings in Six Years

According to the Center for Education Reform’s (CER) report “Charter School Law Across the States,” 309 charter schools opened this year, which is the lowest number of new charter openings since 1997, when 233 new charters opened, and down from the year before, when 395 new charter schools opened. In 1999-2000 there were 420 new school opening, which was the high. Charter school supporters point out that the number of charter schools grew by 10%, despite opponents’ attempts to slow the movement’s growth.

James Merriman, the president of the State University of New York’s Charter School Institute said, “Certainly, after states first passed laws authorizing charter schools, there was a flood of pent-up demand. That demand has been satisfied to some extent, but in my state, New York City Schools Chancellor Joel Klein is looking to have 50 charter schools open next year, and Buffalo city schools is looking to turn into an all-charter district.” He added, “I don’t see any evidence of a slowdown, but I do see an increase in quality.”

Jeanne Allen, the president of CER, believes that this drop is the result of lobbying by teachers’ unions, school board associations, and other opponents. In Ohio the state affiliate of the American Federation of Teachers (AFT) has led a campaign opposing charter schools. A spokeswoman for the AFT attributed the drop in new charter schools to mixed student performance and problems with the for-profit companies that manage some charter schools.

Overall the CER report found that states with “strong” charter school legislation (*i.e.*, laws that allow flexibility in exchange for student performance and do not limit the number of charter schools allowed) have the most successful schools. According to the report, “Of the 26 strong laws, 65 percent of those states saw significant gains in the evaluations of test and [federal] No Child Left Behind data over two years. Of the weak laws, only two states demonstrated positive gains.” Many of the states with weak laws have not released “reliable data on charter achievement.”

Charter (cont'd)

States with the most charter schools ranked highest on the CER's list of states with strong laws. Arizona has 464 charter schools, which is the most of any state, and it ranked first on the list of states with strong charter school laws. Minnesota ranked second and was the first state to open a charter school. The District of Columbia ranked third on CER's list of states with strong charter school laws. DC's 39 charter schools enroll 15% of the city's public school students.

The report also comments on research by the Brookings Institute, which reported on the disproportionate number of charter schools that are not making adequate yearly progress (AYP). The CER report countered this by stating, "This is not a surprise. A majority of the nation's 2,996 charter schools serve at-risk and disadvantaged populations or children unsatisfied with traditional public schools."

USDOE Responds to Utah's Consideration of Abandoning NCLB

Last month the Utah House of Representatives voted to prevent state resources from being used to pay for unfunded portions of the No Child Left Behind (NCLB) act (see February 13, 2004 *Friday Report*). The US Department of Education has responded to an inquiry from Utah State Superintendent of Public Instruction Steven Laing's regarding the consequences of not complying with NCLB mandates. Acting Deputy Education Secretary Eugene Hickok responded to Utah's inquiry noting that the state receives \$107 million in federal assistance.

Hickok warned that if Utah chose to forgo its Title I funds (\$46 million) it would dramatically effect the state's ability to close the achievement gap. In addition, Hickok addressed seven specific questions:

- 1) If Utah does not participate in [ESEA], is the state still eligible to receive other federal funds for education, such as Carl Perkins, adult education, IDEA, and USDA Child Nutrition?
- 2) Would Utah's nonparticipation in [ESEA] impact any formula allocations of federal funds authorized outside of [ESEA]?
- 3) If the state did not participate in [ESEA] formula funds, would it be eligible to apply for discretionary funds, and what would be the federal requirements upon the state if such were possible?
- 4) Could the state opt out of one or more titles of [ESEA] without opting out of the entire act, and what would be the federal requirements upon the state with regard to any titles in which it could continue participation?

Utah (cont'd)

- 5) May an individual school district or charter school opt out of participating in [ESEA] and the related funding?
- 6) If an individual school district or charter school does opt out of [ESEA], are other federal funds still available to that district or charter school?
- 7) May an individual school district or charter school opt out of individual titles within [ESEA] and still participate in others? If so, are there any unique conditions the school district or charter school must follow other than those directly related to the titles in which participation continues?

Hickok was careful to stress that his answers did not constitute a legal opinion, but he believed that if the state rejected State Title I funds, then funding for other programs, such as Safe and Drug Free Schools, state technology grants, and 21st Century Community Learning Centers, would be adversely effected. In addition, the Acting Deputy Secretary noted that “districts that reject ESEA formula funds (when the State of Utah accepts these funds) would still need to implement several key aspects of NCLB. These include assessing whether students can read and do math on grade level in grades 3-8 and high school, reviewing whether each school has made adequate yearly progress, and ensuring that teachers of core academic subjects are highly qualified. “

After the Department of Education and the Bush Administration dispatched a series of envoys to discuss Utah’s consideration, The *Salt Lake Tribune* reports that state appears to be backing down from its threat. David Shreve, Director of the National Conference of State Legislatures, observed there is a gap between what the Department calls flexibility and what states can actually do.

For a copy of Hickok’s letter, go to http://www.nassp.org/advocacy/pdf/usde_utah.pdf

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