



Legislative Update

August 18, 2009

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For more information on any of these issues contact the IRA Washington Office at 202-624-8800 or irawash@reading.org

Education reform seems to have two centers in Washington, DC. One is THE Congressional drafting of funding (appropriations) bills, and the other is the Administration moving a new model of education reform through the *Race to the Top* proposal and *School Improvement* plans. The Council of Chief State School Officers and the National Governors Association are creating new core curriculum standards linked to the administration's thinking. During the August Congressional recess in Washington, the Administration and the Standards movement are pushing ahead.

It is important to note that the Administration is not waiting to launch its school reform program through the rewriting of the Elementary and Secondary Education Act (the current version is No Child Left Behind) and the other statutes. Rather, the Administration is using the funds made available by the American Recovery and Reinvestment Act (ARRA) to target significant changes in many of the nations' most challenged schools.

- **Appropriations and School Improvement**

The House of Representatives has voted and passed its spending plan for the upcoming fiscal year, and the Senate has moved its version through its committee. It is now waiting a floor vote. Each chamber agreed with the Administration on some areas and disagreed in others. For example, the Administration wanted to cut funding for Title I Part A (local grants) and increase funding for School Improvement. The House maintained the current levels, while the Senate supported a small cut in Part A. Even Start was eliminated in the Senate



committee but supported by the House. Both chambers are supporting a modest increase in spending in reading and the Senate is calling for a comprehensive literacy bill.

One of the more interesting issues in the House appropriation's bill is how they are funding school improvement. The House set the school improvement section of Title I at \$543 million. This is the same as last year. However, the administration had been planning to change the school improvement program Sec 1003(g) by combining the regular appropriations with the \$3 billion stimulus school improvement money for the upcoming school year. In the combination, it will be proposed to change the use of these funds. (As a point of fact, the funds for this school year were not sent to the states for the beginning of this school year.) The soon to be proposed US Department of Education regulations for the school improvement fund would targeted schools for funding at the bottom 1% of the schools in the United States. For the next school year (SY 2010) the House has not agreed to this plan. It proposes the school improvement fund to require that 50% of the funding be used for evidenced based reading programs.

Reconciliation - The annual budget resolution adopted by Congress includes special "reconciliation" instructions that allows Congress to enact legislation to makes minor adjustments to spending and revenue levels. Reconciliation allows Congress to expedite legislation and change federal mandatory spending. A new program funded through reconciliation is a *mandatory* spending item. By contrast, a program that goes through the annual appropriations process is discretionary, meaning that there is no guarantee of funding until Congress acts.

The House Committee on Education and Labor passed a reconciliation bill (HR 3221) that reformed the federal student loan programs and would allow the some of the \$2.7 billion savings to fund Early Learning Challenge Grants. The reconciliation bill still has to be passed by the House and hasn't been introduced in the Senate's HELP committee. If it passes, the program's funding would be allotted until 2017.

The Early Learning Challenge Grant program requires States to match funding, reform laws governing early childhood education, and develop high-quality early learning programs and services that could lead to long term additional spending. This is fortunate as otherwise States could view the program as another unfunded mandate

- **Vouchers: Washington, DC schools**

Members (including IRA) of the National Coalition for Public Education (NCPE) sent a letter on July 15, 2009 to Congress requesting that Members oppose the expansion of the Washington DC Voucher Program in HR 3170, the Financial Services and General Government Act of 2010



The current version of HR 3170 limits vouchers to those students who received scholarships in the 2009-2010 school year. The bill requires schools to obtain certificates of occupancy and hire teachers with bachelor's degrees. NCPE members oppose continuation of the expired voucher program and oppose providing vouchers for any new students.

NCPE urges Congress to reject any motion to recommit that would extend the program, whether the extension includes opening the program to new students, siblings of current voucher students, increasing funding, or any other extension.

Department of Education studies concluded that the voucher program has had no effect on the academic achievement of students from "schools in need of improvement." These studies further found that students in the voucher program were less likely to have access to key services (ESL, etc.) than students who were not part of the program.

NCPE believes that instead of sending federal money to private schools, money should instead be invested in the public schools. Read full letter here:

<http://sites.google.com/site/iralatupdate/vouchers>

- **Race to the Top and Stimulus Funds**

On July 24th the President announced the administration's policy focus and plan for spending about \$10 billion of the stimulus dollars. These funds are the Race to the Top program (\$4.3 billion), the school improvement program (\$3 billion) and other funds (mostly technology). In addition the State Fiscal Stabilization Fund is also included in this policy initiative. Overall these funds will flow to the states with the following emphasis:

1. Schools at the bottom 1% will be the focus of improvement.
2. Increased use of data by schools including linking student achievement with teacher and principal evaluation, and linking teacher performance (as partially measured by student achievement to institutions of higher education they attended). Providing links of student achievement data back to teachers to improve instruction.
3. Increased requirements to expand the number of charter schools
4. Requirement that states adopt core common standards by June 2010
5. Support for pay for performance of teachers
6. School improvement focused on charter schools, closing schools, and transforming schools

IRA has sent comments to the administration on their notice of definitions on the Race to the Top program asking that reading and literacy be listed as a priority along with the STEM programs (Science, Technology, Engineering and Mathematics).



- **Core Common Standards**

The development of the core common standards by the National Governors Association and the Council of Chief State School Officers is a push to create national standards that are consistent, clear, and demanding. In late July the college and career ready draft standards were basically leaked on the Internet after the states received the draft. IRA has been asked to submit comments. To see the IRA statement go to the IRA website at www.reading.org. These standards are being revised and will be released for public comment in mid-September 2009. Meanwhile, NGA and CCSSO are working on the K-12 standards. They hope to release these standards by late December. The adoption of the core common standards will be a requirement to receive Race to the Top stimulus dollars.

- **Comprehensive Literacy Bill**

The House and Senate continue to work on a comprehensive literacy bill, the draft of which is entitled LEARN (“Literacy Education for All, Results for the Nation Act”). The purpose of the LEARN Act is to create a comprehensive, national literacy program to ensure that children from birth to grade 12 have the reading and writing skills necessary for success in post secondary education and work. This bill recognizes the importance of student literacy skills and the importance of high quality literacy instruction that supports students of all ages and across all content areas. The bill recognizes the critical importance of high quality professional development to instructional staff so that students have literacy learning opportunities based on scientifically valid research and strategies appropriate to their age and developmental level. The bill would provide federal support for literacy programs, enhance each state’s role in improving literacy instruction, and support LEAs’ creation of high-quality literacy programs in schools.

- **Proposed Changes to the Workforce Investment Act (WIA) Contained in the Adult Education and Economic Growth Act Of 2009**

Congress has not updated the Workforce Investment Act (WIA) since it was enacted in 1998. Reps. Ruben Hinojosa, D-Texas, and Patrick Kennedy, D-Rhode Island have drafted a bill intended to substantially reform the 1998 Workforce Investment Act. They are recommending substantial reform to WIA such as putting a greater emphasis on:

- transition to postsecondary education and “career pathways” for “employment and self-sufficiency”;
- “integrating education and training” to acquire basic “workplace skills”;
- allowing currently employed workers access to those training programs;
- adding “technology literacy” as a performance indicator;



- assisting adults with limited English proficiency to improve their skills in English, math and civics by integrating English literacy and civics education ;
- revising state funding formulas to reflect demographics;
- and increasing the use of technology in skills training and education.

The Adult Education and Economic Growth Act Of 2009 also proposes better coordination and integration between adult education and literacy services with workforce development and postsecondary education and training opportunities across agencies and programs.

- **The Student Aid and Fiscal Responsibility Act of 2009 to Help Fund Early Learning**

Education Secretary Arne Duncan and Health and Human Services Secretary Kathleen Sebelius have reiterated the importance of President Obama's proposed Early Learning Challenge Fund which would invest \$10 billion in early learning reforms if states improve the quality of early childhood programs.

The President's Early Learning Challenge Fund would be collaboratively administered between the U.S. Department of Education and the Administration for Children and Families at the U.S. Department of Health and Human Services and would incorporate two mandatory funding elements Quality Pathways Grants and Development Grants which would not be subject to the annual appropriations process.

Legislation reflecting the President's plan was introduced in the House earlier this week by Congressman George Miller, the Chairman of the House Education and Labor Committee. The Student Aid and Fiscal Responsibility Act of 2009 builds on President Obama's 2010 budget to establish the Early Learning Challenge Fund.

The legislation will make changes to the nation's federal student loan program by eliminating the Federal Family Education Loan Program, in which the government subsidizes private lenders to make federal loans. This is expected to generate \$87 billion in savings over 10 years according to the Congressional Budget Office. The Senate is expected to consider its version of the bill following the August recess.

About another \$40 billion would be used to boost Pell Grants by indexing them to the Consumer Price Index, plus 1 percent. The maximum Pell Grant award would rise from \$5,550 in 2010 to \$6,900 in 2019 under the bill.

Another portion of the projected savings—\$10 billion—would be used to pay for a major community college proposal that would include additional resources to improve school facilities and online course offerings. Grants of at least \$1 million each for community



colleges would be awarded to reform remedial and adult education programs and improve dual enrollment offerings.

Summary

The President's announcement on July 24th was basically the administration's education reform plan. The administration is not planning on pushing the rewriting of No Child Left Behind any time soon. In fact, one senior administration official said that the rewriting may not be until 2012.

This means that the regulations being proposed, and soon to be implemented, are what the administration wants to have happen. This means that we will be hearing more about charter schools, pay for performance, using student achievement data in many new ways including tracking teacher performance linking back to the teacher's institutions of higher education.

From the Hill we are hearing a different emphasis. The Hill is talking legislation, including early childhood programs and new comprehensive reading legislation.

Unlike past years there is a wide range of activity impacting teaching, learning and reading in many different parts of the government. Many of these items interrelate, and reflect a significant change in emphasis.



SAVE THE DATES !

New
International Reading Association
2009- 2010 Government Relations Workshops Series
October 8 – 10, 2009
February 4 – 6, 2010
June 20 – 22, 2010
Washington, DC

The 2009- 2010 Government Relations Workshop will be a series hosted by the International Reading Association in Washington, D.C., each individual session will help you strengthen your advocacy efforts. We will update you on the latest changes and regulations impacting reading. You will learn about federal and state legislative issues and have the opportunity to directly communicate with your congressional leaders or their staffs.

This is a no cost workshop for IRA members hosted by IRA's Washington Office and the Government Relations Committee. We will provide a breakfast and working lunch on the second day. We will begin with lunch on the first day (Noon) and the sessions will conclude on 4:00 PM the second day. All other related expenses (transportation, lodging, food, and entertainment) are the responsibility of the workshop attendees. Many participants receive funding from their state councils to help pay for costs. We have not blocked a group of rooms because many of you found cheaper rooms on the Internet.

Feel free to call the IRA Washington office with questions regarding the workshop at 202-624-8800 or irawash@reading.org. Updates for the Workshop will be posted on the website at: www.reading.org. We look forward to seeing you at any or all of the Workshops.