

MEMORANDUM

To: Bruce Reed
From: Andrew Rotherham
Re: House Title I
Date: September 28, 1999

*WSP: GOP opt-in language
Work your it - good & etc*

Overall, this bill is not what we were expecting and is, in its current form, something we can work from. It does not include a private school choice component and the public school choice proposal looks pretty reasonable. It doesn't include our accountability provisions, but leaves the door open for debate on those points. The largest outstanding issue is still the paraprofessional issue.

Assuming the bill passes out of committee and off the floor, it is unclear how things would proceed from there because Senator Jeffords has indicated that he does not want to break ESEA up but has let to produce even a draft bill. Senate Republican leadership has indicated that they will bring an education bill, it is unclear what will this will be most likely either the Teacher Empowerment Act or Super-Ed Flex, to the floor at the end of October if Jeffords hasn't produced a bill.

Major issues in the draft are:

Targeting/Formulas

The Republicans are trying to spread the money out through several devices. They would guarantee Title I funds to LEA's that are no longer eligible for an additional 4 years. This is essentially a hold-harmless that would hinder efforts to target the money to LEA's that are newly eligible because of increases in poverty or are experiencing substantial increases of impoverished kids. For example, using data from 1999, 1626 LEA's are newly eligible for funding while 1,732 are no longer eligible. Continuing to fund these 1,732 severely impacts the programs ability to serve children in need—its ostensible purpose.

The draft would also significantly decrease the amount of funds allocated as Targeted Grants and increase the amount of money allocated through the Basic Grant formula. The Basic Grant formula spreads the money much more thinly while the Targeted Grant formula distributes funds more equitably by providing higher per-child amounts in high-poverty LEA's and lower amounts in lower-poverty LEA's. By contrast, our proposal would increase the amount of money allocated to Targeted Grants.

The within district allocation provisions are unclear right now but it appears that they want to spread the money out here too, but not drastically (such as eliminating any ranking of schools and serving high poverty first). They also are trying to increase the focus on K-6 but do not seem to be set on eliminating middle and high schools. There are technical problems with the draft that have to be resolved before we can get a better idea of what their plan here is.

The bill would also lower the threshold for schoolwide programs from 50 percent to 40 percent of students in poverty. Because of the waiver authority under Ed-Flex the threshold is basically 40 percent now so this is not a major issue although it will be portrayed that way by the same actors that opposed Ed-Flex.

School Choice

The bill does not contain private school choice provisions. It does require LEA's, not less than 6 or more than 18 months after a school is identified for school improvement to provide all students in the school with the option to transfer to another public school or charter school that isn't in school improvement. Current law allows this as an option when a school is in corrective action. The bill also broadens the public school choice component of Title I but is still similar to current law. The largest issue here will most likely be transportation costs which consume a lot of resources in any choice program.

Our Accountability Provisions

The bill does not include any of our accountability provisions as we proposed them although there are accountability pieces in there. It does include Miller's teacher quality language from the Teacher Empowerment Act (HR 1995). It also includes a school report card component but it appears this only applies to Title I schools which defeats the purpose. It contains corrective action provisions but they are not as specific as our proposal. The bill is silent on discipline.

Most importantly, it does not include our capacity building provision for turning around low-performing schools or for increasing professional development through set-asides for these purposes.



Bush Proposes Mandatory Testing

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By Glen Johnson
Associated Press Writer
Tuesday, Oct. 5, 1999; 1:54 p.m. EDT

WASHINGTON — Republican presidential candidate George W. Bush today criticized his own party's record on social issues, as he proposed mandatory state testing of students to ensure that schools are performing up to standard.

Expanding on his education agenda, Bush tied federal education money to student testing. He proposed requiring all states to develop and administer annual tests for students in grades three to eight. He also would require the states to participate in the National Assessment of Educational Progress, which tests a random sampling of students every two to four years.

Republicans have long been critical of any expanded federal role in education, particularly mandatory testing.

Speaking to the Manhattan Institute, a conservative thinktank, Bush noted that "education reform is gaining a critical mass of results. In the process, conservatism has become the creed of hope, the creed of aggressive, persistent reform, the creed of social progress."

He said that was a change for the GOP.

"Too often on social issues my party has painted an image of America slouching toward Gomorrah. ... Too often my party has focused on the national economy to the exclusion of all else. ... Too often my party has confused the need for limited government with the disdain for government itself," he said.

It was the second time in two weeks that Bush has stung his own party with criticism. The Texas governor drew the ire of congressional Republicans last week when he criticized their plans to squeeze money from a program for the working poor to meet budget targets.

Bush said the nation needs to rebuild its approach to education with "pressure from above and competition from below."

Toward that end, he proposed a tenfold increase in the size of tax-free savings accounts that parents can establish for educational expenses. The current maximum annual contribution would rise from \$500 to \$5,000.

In addition, Bush called for a \$500 million Achievement and Education Fund to reward improving school systems, and a \$3 billion

Charter School Homestead Fund to provide loan guarantees to help start or improve charter schools.

Bush singled out the Elementary and Secondary Education Act of 1965 as a program that needs revisions. The \$13.9 billion program, which is up for reauthorization in Congress, provides grants for elementary and secondary programs under 60 categories.

He would streamline them into five general categories so states can tailor programs to their unique needs. Under the plan, money could be spent to improve the achievement of disadvantaged children; promote fluency in English; train and recruit teachers; encourage student character and school safety; and promote innovation and informed parental choice.

Under his plan, federal money could be used to fund state voucher programs.

Voucher programs are strongly opposed by teacher unions and Democratic candidates such as Vice President Al Gore. Bill Bradley, Gore's rival for the Democratic presidential nomination, has voted for voucher experiments but doesn't believe they are the solution to fundamental educational problems. Most of the GOP candidates favor voucher systems.

Gore was endorsed today by the American Federation of Teachers, the nation's second largest teachers' union.

President Clinton has proposed national student testing, but Republicans in Congress used their majority to block the legislation. Bush spokeswoman Mindy Tucker said the governor views the NAEP test merely as an "audit" that would verify the state test results.

Bush said states whose schools show no improvement after five years, as measured by the tests, would lose 5 percent of the administrative portion of their ESEA grants. States that improve would be eligible for money from the Achievement and Education Fund, which would be bolstered with \$500 million over five years.

Test results would be distributed over the Internet.

"Without testing, reform is a journey without a compass," Bush said in the second three planned education speeches. "Without testing, teachers and administrators cannot adjust their methods to meet high goals. ... Without testing, parents are left in the dark."

Bush also wants to increase the number of charter schools – privately run schools that receive public money – to give parents another education option. His \$3 billion Homestead program would provide seed money for up to 2,000 such schools.

"As president, I want to fan the spark of charter schools into a flame," Bush said. "If charters are done properly – free to hire their own teachers, adopt their own curriculum, set their own operating rules and high standards – they will change the face of American education."

Bush also proposed increasing the federal allowance for education savings from \$500 per year to \$5,000. Under a 1997 law, parents can make contributions to the accounts as if they were paying into an IRA. The money can be withdrawn tax-free for college expenses. Eligibility for the program starts to phase out for single taxpayers earning \$95,000 and couples earning \$150,000.

Bush would let parents spend the money for kindergarten through college. His campaign projects that the expansion would cost the Treasury \$92 million in revenue in the first year and more than \$1 billion by 2008.

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Educational Excellence for All Children Act of 1999



AN OVERVIEW OF THE
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