

**Press Guidance on Department of Education
Rejection of Grant Application by Blind Oregon Professor
DRAFT -- November 19, 1997**

Background: This spring, a blind physics professor at Oregon State University submitted a grant proposal to the Office of Special Education at the Department of Education. The proposal did not conform to format requirements established by the Department (it wasn't double spaced and used a smaller font). In September, the application was rejected without being considered because of the nonconformity. Evidently no effort was made to send the application back and provide an opportunity to revise it. The professor says that the application was mistakenly submitted in the wrong format by his sighted assistant. Senator Wyden has written the Secretary to complain, and stories have shown up in print and on radio, and on this morning's TODAY show.

In response, Secretary Riley has ordered a review of the grant application process, and has issued a statement expressing his concern that rules not be "applied so rigidly that they do not meet the test of good common sense." In addition, the Secretary indicated that the Department would look forward to reviewing the professor's proposal in the context of a new grants process beginning next Spring.

Question: Does the White House have any comment on why the Department of Education would reject a blind applicant's grant proposal because it wasn't double spaced?

Answer: Secretary Riley has ordered a review of this and I would refer you to his statement issued by the Department of Education.

NO

If we think we need an answer on this, we should repeat what Riley said - That this makes no sense, That the Secretary has said it makes no sense, and that we're confident that this application will be considered in the next round.

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MEMORANDUM TO KRIS BALDERSTON, BILL KINCAID

FROM: JULIE GREEN 

SUBJECT: ED Grant applicant

You should be aware that the Department has gotten several media inquiries over the last two days regarding the rejection of a grant application. It is likely that the TODAY Show will air a segment about it tomorrow.

An Oregon professor was recently informed of the Department's rejection of his grant application due to incorrect formatting, which is a violation of application criteria. The professor is blind and his sighted assistant incorrectly submitted the grant application in an improper format. He contacted Senator Wyden's office, which has written the Department and made the issue public. The Department has been in contact with both the applicant and Wyden's office and the Office of Special Education is reviewing the grant application process at the Secretary's request.

There are a number of complexities about the case which I am happy to discuss further if needed. Attached please find the letter we received from Senator Wyden and a Statement by Secretary Riley issued this evening. Please feel free to contact me at 401-2571 should you need additional information. Thank you.

see new AP story too, reflecting stmt



November 18, 1997

Contact: Julie Green (202) 401-3026

**STATEMENT OF U.S. SECRETARY OF EDUCATION RICHARD W. RILEY
On Rejection of Grant Application submitted by Professor John Gardner**

I am troubled by the circumstances under which Professor Gardner's application was rejected. Rules should not be applied so rigidly that they do not meet the test of good common sense. This is not how we reinvent government.

Professor Gardner's sighted assistant who completed the application did not follow all of the instructions and those instructions only exist to provide a fair and level playing field for all applicants. By the same token we did not do a very good job of informing Professor Gardner of the mistake in a timely manner.

Our intent is always to provide reasonable accommodations and we currently provide application packages in braille and other alternate formats such as disc. I have asked the Office of Special Education to review their grant process immediately to make sure that technical criteria do not get in the way of good ideas. A new grants process begins in the Spring and we look forward to reading Professor Gardner's application.

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RON WYDEN
OREGON

United States Senate

WASHINGTON, DC 20510-3703

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Bridge
Commerce, Science
& Transportation
Energy & Natural Resources
Environment & Public Works
Special Committee on Aging

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PRINTED ON RECYCLED PAPER

November 14, 1997

The Honorable Richard Riley
Secretary of The Department of Education
600 Independence Avenue, S.W.
Washington, DC 20202

Dear Secretary Riley:

I am writing to request your assistance in correcting what appears to be a case of bureaucracy prevailing over common sense. In my opinion, government research assistance should be based on the quality of the research project, not on strict adherence to the minutiae of application rules. The merits of the ideas should be more important than their presentation. Yet, the recent rejection of a grant proposal to the Department of Education suggests that the agency is placing adherence to bureaucratic standards over substance in the evaluation of grant proposals.

On September 29, 1997, the Department of Education rejected a grant proposal submitted by my constituent, Professor John Gardner of Oregon State University (OSU), because, according to a letter written by the Department, his "application was not double-spaced and a smaller than 12 point font was used." Professor Gardner had submitted his proposal to the Department of Education prior to the April 14, 1997, deadline, and five and a half months later, he was informed that the proposal had been rejected without review, because of a typographical quibble.

Professor Gardner, an OSU faculty member and acknowledged expert in both materials physics and new technologies for information access by the disabled, appealed to the Department, pointing out that he was blind and had been unaware that his assistant had single-spaced the proposal in a font smaller than the Department prefers. Mr. Gardner's appeal was apparently then rejected on the sole basis that his proposal did not meet the "stated criteria." A member of my staff was similarly informed by the Department of Education that Mr. Gardner's proposal was rejected due to his failure to double-space.

On its merits, the proposal certainly seems worthy of recognition. Professor Gardner is the inventor of DotsPlus, a software program for printing tactile graphics for the visually-impaired. One of his students developed an embosser that prints graphical information for the visually-impaired. Together, the embosser and software could revolutionize access by the visually impaired to math, science, graphs, maps and almost all other graphical information. Professor Gardner's proposal would fund a program to test the embosser and Dotsplus software, potentially opening up a whole new world of learning to the visually-impaired. Additionally, I have reviewed the proposal and found it nicely prepared and easy to read. When a proposal of this nature is rejected because of rigid enforcement of bureaucratic standards, everyone loses.

In 1993, Vice President Gore undertook the monumental task of reinventing the Federal government. To date, that effort has successfully eliminated much government waste, while promoting a number of good ideas to make the Federal government work better for the people who pay its bills. With regard to Mr. Gardner's grant proposal to help the visually-impaired, however, I don't believe this is what Vice-President Gore had in mind when he undertook to reinvent government.

It certainly seems that the public interest would be best served if the Department of Education would reevaluate Mr. Gardner's proposal, and make its decision on the basis of the merits of the proposal. It is common practice at other agencies, such as the National Science Foundation and the Department of Energy, to contact proposers who have made similar format mistakes and permit them to correct minor irregularities in their proposals. The Department of Education would be well-served to adopt a similar, common sense approach so that millions of vision-impaired Americans are not denied an equal opportunity to learn and work using the latest computer technologies.

I would greatly appreciate your personal attention to this very important matter. At a minimum, I would ask that the Department provide Mr. Gardner with an adequate opportunity to revise his proposal to meet the Department's technical specifications, so that his proposal can be weighed on the merits. I look forward to your timely response. Please feel free to contact me, or my Legislative Assistant, Lindsay Rosenberg, at 224-5244, if you have any questions concerning this request.

Sincerely,



Ron Wyden
United States Senator

ATTN: Patty FX 205-9252

AP J2586 rn oror- OR-Blind Bureaucracy, 0340

11-19 2:28a

Education Secretary says agency will review rejection of application
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PORTLAND, Ore. (AP) - U.S. Education Secretary Richard Riley said Tuesday he was troubled by the rejection of a blind Oregon State University professor's grant application, and said his agency will review the case.

Nonetheless, physics professor John Gardner will have to wait until next spring for another shot at funding for his project to expand Braille for math and science.

The Department of Education rejected Gardner's proposal for \$300,000 to test an expanded form of Braille because his application - typewritten by an assistant - wasn't double-spaced and the type was too small.

Gardner, who is blind, said he missed the error because he could not see the application his assistant submitted.

He reacted cautiously to Riley's comments.

"I'm delighted, but these changes should have happened long ago," Gardner said. "I hope it's not lip service."

In a statement late Tuesday, Riley did not apologize - pointing out that Gardner's assistant did not follow instructions - but said he was still "troubled" by the circumstances of the case.

"Rules should not be applied so rigidly that they do not meet the test of good common sense," Riley said.

He said his agency did not inform Gardner of the problem in a timely manner, and he has instructed the Office of Special Education to review its grant processes so that "technical criteria do not get in the way of good ideas." However, new money won't be available for proposals such as Gardner's until next year.

The project Gardner was seeking money for is called DotsPlus, a system he invented that makes math and science symbols accessible to the visually impaired. The money would have covered costs of a two-year testing period. He hopes to find another means of financing his project, but said if he's not successful in a year, he might reapply.

(PROFILE

(CAT:Education;)

(SRC:AP; ST:OR;)

)

[Richard&Riley]

Post-it® Fax Note 7671		Date 9-8	# of pages 5
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Press Release

For Immediate Release
Revised

Contact: Lynda Voyles
703-264-9478 (O)
703-455-1007 (H)

President Clinton Short Changes Special Education

Undermines Tax Relief for Special Education Costs

RESTON, VA, SEPTEMBER 8, 1997--Despite public statements supporting children with disabilities, President Clinton is giving the education of such children short shrift in his funding recommendations. In his 1998 proposal, the president requested \$4.2 billion for special education, compared to \$4.35 billion proposed by the House and \$4.95 billion by the Senate.

In addition, the president's Office of Management and Budget, in a September 2 Statement of Administration Policy, "strongly urge[d]" the Senate to reduce its proposal for "lower priority" programs--which includes special education. The administration says these programs would be "adequately funded" at the administration-requested level.

President Clinton's funding recommendations contrast sharply with statements he made during his campaign and signing of the Individuals with Disabilities Education Act of 1997 (IDEA). In response to CEC questions about funding, he said, "I know how much IDEA means to millions of students with disabilities and their parents...I am committed to maintaining IDEA so that every American student with a disability will receive excellent educational opportunities."

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President Shortchanges Special Education, Pg. 2

In sharp contrast to the president's goal of ensuring that all children can read by the end of the fourth grade, he requested only a 4.5 percent increase in the Part B program for children with disabilities -- *barely enough to cover inflation*. House members proposed a 7.7 percent increase for this program, and the Senate acknowledged the cost of implementing IDEA with its 27 percent increase. Children who have difficulty learning to read due to a disability need teachers and programs that meet their learning needs. In order to meet the overall objective of "America Reads," IDEA is essential to the needs of the 10 percent of children with challenges such as blindness, learning disability, or other impairment.

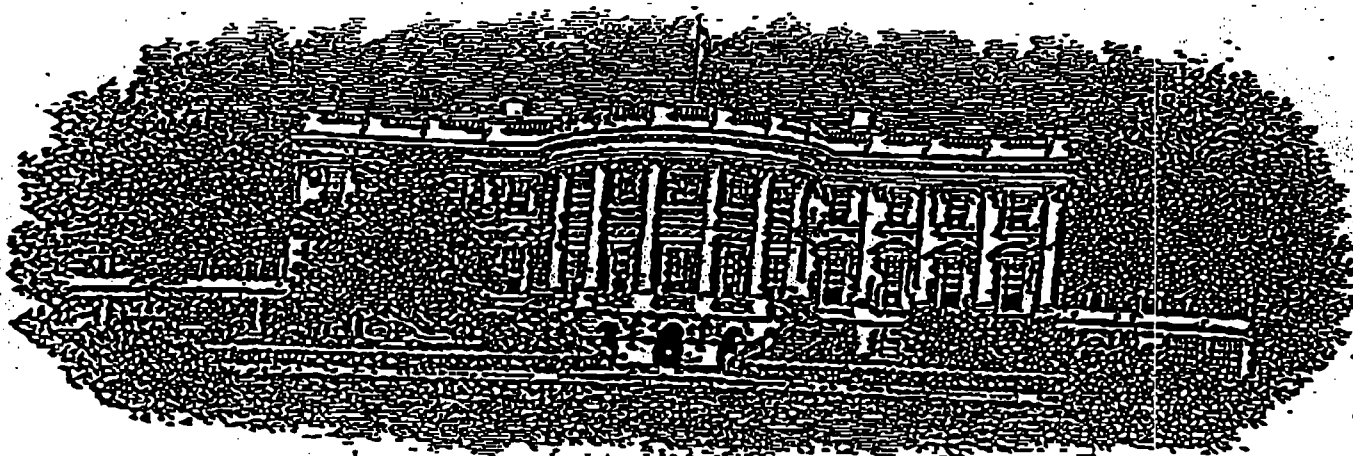
"While The Council for Exceptional Children appreciates the President Clinton's commitment to education in general," said Joseph Ballard, CEC's Director of Public Policy, "we regret that he does not appear to be as sensitive to the needs of children with disabilities, nor the needs of taxpayers for relief, as do members of Congress on this particular issue."

The newly reauthorized IDEA would, for the first time, offer local tax relief from the cost of educating children with disabilities. These provisions were championed by school boards, administrators, and parents, as well as special education oriented organizations such as CEC. For tax relief to be triggered, IDEA must be funded above \$4.9 billion. By proposing a lower figure, the president denies local tax relief.

The Council for Exceptional Children, the largest professional association for special educators, works to improve the educational success of students with disabilities and/or gifts and talents. CEC represents members serving more than 5 million students with disabilities and 2.5 million gifted students in the United States.

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THE WHITE HOUSE



DOMESTIC POLICY

FACSIMILE TRANSMISSION COVER SHEET

TO: Barry White & Larry Haas & Bill LincaidFAX NUMBER: 5-7752 & 5-7254 & 6-7028

TELEPHONE NUMBER: _____

FROM: Diana FortunaTELEPHONE NUMBER: 456-5570PAGES (INCLUDING COVER): 4COMMENTS: _____

Kagan

5-7752

OMB EDUCATION

ID:202-395-4875

SEP 03'97

10:58 No.001 P.02



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 2, 1997
(Senate Floor)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

**S. 1061 — DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES,
EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 1998**
(Sponsors: Stevens (R), Alaska; Specter (R), Pennsylvania)

This Statement of Administration Policy provides the Administration's views on S. 1061, the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill, FY 1998, as reported by the Senate Appropriations Committee.

The Committee has developed a bill that provides requested funding for many of the Administration's priorities. We are pleased that the Committee has fully funded Bilingual and Immigrant Education, School to Work, and Education Technology Programs. The Administration is also pleased that the Committee has limited the number of appropriations riders, consistent with the terms of the Bipartisan Budget Agreement. The Senate is urged to continue this practice. As discussed below, the Administration will seek restoration of certain of the Committee's reductions.

The Administration is committed to working with the Senate to identify reductions in the bill in order to find offsets for the restoration of funds that the Administration seeks. For example, the Committee bill provides nearly \$1.5 billion more than the President has requested for three dozen authorities in the Department of Education, while cutting the President's request by almost \$2 billion. Similar reallocations are made in other sections of the bill. We strongly urge the Senate to reduce funding for lower priority programs, or for programs that would be adequately funded at the requested level, and to redirect funding to programs of higher priority, particularly those specified in the Bipartisan Budget Agreement, as noted below.

Unfortunately, the Administration understands that a number of controversial amendments may be offered, such as an amendment to halt the President's national testing initiative, an amendment to prohibit the use of funds in the Act for supervising the Teamster's election, an amendment to enable states to privatize the administration of public assistance programs, and another amendment to provide that welfare recipients in workfare can be paid at rates below the minimum wage. In addition, a number of these proposals, as well as certain provisions of the Committee bill, such as the lack of funding for the President's America Reads Challenge, are contrary to the Bipartisan Budget Agreement. If such policies were adopted, particularly in light of other concerns raised in this Statement of Administration Policy, the President's senior advisers would be forced to recommend that the President veto the bill.

-more-

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cc Elena
Mike
Bill Kincaid
Barry White
Larry Haas, OMB
Diana

Post-It Fax Note 7671		Date 9-8	# of pages 5
To Bill White	From Betty Smart		
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34. The Newark Star-Ledger

09/21/97; Edition: FINAL; Section: PERSPECTIVE; Page 011

Teachers learn about different worlds

Seminars target urban- suburban split

By Patricia C. Turner
Star-Ledger Staff

A kindergarten teacher from Atlantic City, a fourth-grade teacher from River Edge, a language-arts supervisor from Jersey City and a second-grade teacher from Parsippany-Troy Hills were the perfect target audience.

The four- and 16 other teachers from across the state-spent a week together at Monmouth University in a residential seminar for teachers learning about "Worlds Apart: New Jersey Cities and Suburbs."

The topic was one of eight covered at New Jersey Teacher Institute Seminars, a program of the New Jersey Council for the Humanities during the last year of a three-year grant from the U.S. Department of Education.

Clement A. Price, professor of history at Rutgers-Newark, was seminar leader on such subjects as "The City in American History and Culture." Joel Schwartz, a history professor at Montclair State University, lectured on "Race and Ethnicity in Suburbia." James Hughes, dean of the Edward Bloustein School of Public Policy at Rutgers University, offered a demographic analysis of New Jersey suburbs, and Ray Klimek, who teaches research writing at Rutgers, presented writing workshops.

Sunday, Monday and Tuesday evenings seminar students viewed and discussed films that touch on the urban-suburban split; Tuesday was spent in Newark, at the Performing Arts Center, in the Ironbound and in public housing projects, with a short tour of the suburban communities along Route 78.

Thursday afternoon the group made a field trip to a condominium complex in

Monmouth County.

Some teachers were excited about what they learned about the cities. Michele Hoffman, a fourth-grade teacher in Parsippany-Troy Hills, and Pat Danishek, a second-grade teacher in the same school, came away determined to take their students to the New Jersey Performing Arts Center. They also plan to develop a buddy system by which fourth graders teach second graders to learn more about New Jersey.

Others were taken by what they learned about the communities where they work. Sandra McGarry, a fourth-grade teacher in River Edge, cited in particular "all the things I never thought about how our community developed as a suburb.

Paul Nolan, education director for the New Jersey Council for the Humanities, said 180 teachers attended the eight seminars, but about 1,200 teachers across the state will receive the material as the participants return to their schools.

The other subjects were "The Individual and Community in America," "Religious Diversity in America," "The Civilization of the Renaissance," "Holding Up Half the World: Women and Community," "Race, Identity and Community: Literary Perspectives," "American Constitutional Law" and "The Family in Cross-Cultural Perspective."

The seminar leader for each was a noted scholar in the field. Each course required reading academic and other serious books and periodical articles, supplemented by field trips and, in some cases, movies.

The teachers paid nothing for the seminars, which included most meals as well as accommodation, and became

eligible for \$250 stipends, access to the Teachers' Grant Fund and graduate credit after they produced a seven-to-10-page paper in the field studied.

Because the state did not fund the seminars at the same level for next year, only teachers from the 30 urban special-needs districts will be invited to apply, Nolan said.

He noted that there is already evidence the program has succeeded. "We selected a group of teachers to participate in a seminar on African-American literature. We asked the teachers to implement a two-week curriculum and to administer a test."

The tests were given to one group of students before the teacher studied at the seminar and a matched group afterwards. Even though the teachers had guidance on what to teach before they themselves took the course, scores improved between the first and second rounds.

Price is not surprised a teacher exposed to the newest and best scholarship does a better job teaching.

He has taught all three years the Teacher Institute Seminars were offered and considers it part of his obligation to "public scholarship" as well as a pleasure.

Price said it is crucial to expose teachers to the latest and best writing in a field, instead of letting them rely on what they learned years before.

Martine Robinson, the kindergarten teacher in Atlantic City, put the same thought another way. Professional development programs, she said, offer the chance to "interact with your peers, and also the chance to see things as a student again." ■

35. Orlando Sentinel

09/21/97; Edition: METRO; Section: ORANGE EXTRA 4; Page K3

Education Roundup

COLLEGE CREDIT TEST SCORES RISE

The number of Orange County high school students who passed a final test on advanced placement college courses last school year rose 4 percentage points for overall results that were the highest in nine years.

Of the 1,849 seniors taking advanced placement courses, 72 percent passed the test with a score of 3 or better out of a possible 5, said Lee Baldwin, director of school improvement and testing. In the previous 1995-96 school year, 68 percent of 1,851 seniors passed the test.

Generally colleges and universities will grant credit to students who score 3 or above on the advanced placement tests. Students who enroll in advanced placement courses study such subjects as calculus and English literature on a college level.

Statewide, only 56 percent of those who took the tests passed. Nationwide

last year, 65 percent passed the tests.

The good news on the advanced placement results follows an increase in county scores for seniors taking the Scholastic Assessment Test. Both the advanced placement tests and the SAT are sponsored by The College Board.

"With the college-bound group we were doing really well," Baldwin said. **THEME PARK FIELD TRIPS**

SEAWORLD will debut new shows and incentives next month for students who take field trips to the marine theme park. Beginning Oct. 20, the park will sponsor 30-minute shows twice each weekday that focus on different environments and ecosystems. The shows, intended for children in prekindergarten through eighth grade, feature a character called Commander Ecology. The Commander Ecology

shows will run through May 22. Also in October, the theme park will begin offering students who attend a daylong field trip a 12-month student pass to the park. Students attending the half-day field trip will receive a discounted 12-month pass of \$27.95 - a reduction of more than half the regular price.

COLLEGE HANDBOOK THE U.S. Department of Education has a new handbook for parents trying to plan their children's college careers. The free handbook, called *Getting Ready For College Early*, is for parents of students in middle school. It offers advice on selecting courses to prepare for college and on financial aid. To get a copy, call 1-800-USA-LEARN. For more information, call Betty Jackson at (407) 296-2364 or Tonja Jones, (407) 330-4695.. SEQN: 72630549■

36. The Sacramento Bee

09/21/97; Edition: METRO FINAL; Section: MAIN NEWS; Page A1

TITLE I FOSTERS SEPARATE, UNEQUAL SCHOOL SYSTEM

By Deborah Anderluh
Bee Staff Writer

The chipped bungalows and weathered wooden portables of Harkness Elementary stand in a grim cluster along 54th Avenue in Sacramento, low-slung barracks blanching in the glare off the concrete landscape. Each classroom door is fitted with a small square window, and each of these is papered over, defense against an intruder's gaze.

Behind one of these doors, a first-year teacher has lost control. One by one, she calls her first-graders forward to read aloud, and with a studied calm, keeps her eyes on the reader. She ignores a boy who leaps over his desk, another who throws his chair, a third who hurls a book, a fourth who bangs his head against his desk in frustration.

In another room, fourth-graders take an open-book test, because with the book closed, says their teacher, they would

fail. Even with the book open, the majority strain to make sense of the essay questions and to fill in the blanks.

"The 'technology' was the land beyond the settled areas," writes one. Another, his eyes panicked, simply strings together nonsensical letters and words: "I was a seall one in the reit deng," he begins.

"When we get them at school, the wood is already made," said the Sacramento City school district psychologist assigned to Harkness, offering his explanation for the low achievement.

"You get a kid who's been neglected, you get dry rot in there, and the best you can do is paint it. cut out some of the bad parts, concentrate on the good parts. We can also make it part of the table, but it won't be up front, it can't be integral. I'll let you be part of society, and maybe you'll deliver the pizzas."

Welcome to public school for Sacramento's poor, mirror to a nationwide plight.

After 32 years and \$103 billion in funding, Title I — the single largest expenditure in the federal education budget — has failed to close the sizeable achievement gap between the nation's poor children and those better off.

What began as an unfocused, under-researched effort to compensate for the effects of poverty on school achievement has evolved into what is essentially a separate educational system for low-income children. America's high-poverty schools constitute the bottom tier of a two-tiered system, one rife with chaos, lowered expectations and watered-down curriculums.

The situation is dire in California, which has the plurality 3 of the nation's poor children. Nearly one-fifth of the state's public school students come from

families on welfare. Nearly one in two students — or more than 2.6 million children — are low-income, defined as living on an annual income of less than \$28,860 for a family of four.

Locally, more than 61 percent of the 50,000 students in the Sacramento City Unified School District are low-income. The numbers range from nearly 40 percent of students in neighboring Elk Grove and San Juan Unified to upward of 75 percent in smaller districts such as Del Paso Heights and North Sacramento.

In nearly all the region's high-poverty schools, the majority of students perform well below grade level.

A four-month investigation by The Bee has found that the same factors thought to underlie the slump in California's overall student achievement have hit poor children hardest of all. The state's heavy concentrations of low-income students, combined with large class sizes, inadequate teacher preparation, nonexistent standards and educational fads, magnify the problems of poor schools, conspiring to create some of the nation's lowest achievement.

"Poor California. It is stuck. It is stuck, and who would have an answer?" said Eleanor Dougherty, a senior associate with Education Trust, a Washington D.C.-based research institute that works with Title I schools.

"When you have a system that big — and California is it — and that out of control, you have to get teachers to focus," she said. "That's where standards come in, and that's what California doesn't have."

Interviews with more than 100 researchers, educators and education officials and visits to more than a dozen high-poverty schools in the Sacramento region indicate that the state's public school system is failing poor children. Among other findings:

California spends more than \$1.1 billion annually in state and federal funds specifically to raise achievement in high-poverty schools, but the state fails to hold districts accountable for actually making gains. The state Department of Education does not track the achievement of the majority of students receiving Title I services, nor does it evaluate the effectiveness of programs funded through Title I.

The state's failure to enact grade-level standards has allowed for a system in which children from poor families are held to different standards than children from families with higher income levels.

Teachers are left to decide for themselves what to expect from a given class. And in high-poverty schools, more often than not that means promoting — and ultimately graduating — students who cannot competently read, write or compute.

In most districts, there is a disconnect between how schools spend their Title I funds and the outcomes of those programs. In Sacramento City Unified, for instance, the administrator charged with overseeing Title I schools could not provide data on achievement levels in those schools, saying that tracking achievement was another department's responsibility.

The vast majority of Title I schools operate with a measure of chaos not found in more affluent schools, using their entitlements to bounce from one failed program to the next, rarely based on research. Staff turnover is high. Inexperienced teachers and principals are thrown in with districts' most challenging students. Teachers speak of feeling helpless, demoralized.

In many classrooms, students spend their days copying words off the board and filling in simplistic worksheets. Assignments are ignored without penalty. Students socialize, holler, roll on the floor — again, without penalty. Homework and major reports are routinely done during class, because teachers don't believe the work would get done at home.

Teachers often have no materials because those purchased by the districts are geared to grade level and so are too difficult for the students. Many schools prohibit students from taking books home, fearing they won't be returned.

What frustrates researchers is that the answers, at least in part, are out there. Around the country, in isolated coves, are documented successes. Most are found in individual classrooms or schools, successes usually attributed to a strong principal or gifted staff. Texas, five years into a sweeping reform movement, is one of few states showing gains on a wider scale.

"It's pretty clear we know how to do this stuff," said Richard Elmore, a professor in Harvard University's School of Education who is helping revamp one of New York City's poorest districts. "We basically know how to do it, but we don't do it. And we don't have an incentives process to force people who can't do it to get out of the way."

For taxpayers, the stakes are

enormous.

The federal government spends more than \$7 billion annually on Title I programs, funding services for 6.6 million low-income children in nearly every school district in the nation and three-quarters of its elementary schools.

Last school year, California received more than \$730 million through Title I, money it funneled to 4,600 schools, more than 175 of them in the four-county Sacramento region. Add to that state-funded economic impact aid for high-poverty schools, and federal and state allocations for related programs such as desegregation and subsidized preschool, child care and meals, and the state spent \$3.4 billion in schools last year to counteract the effects of poverty.

But trying to get meaningful data from the state Department of Education on whether such spending is helping schools meet Title I's stated goal — to raise the achievement of low-income students to national norms — is a tortuous process, involving layers of bureaucrats who inevitably argue that what data the state does keep is of little practical use.

There is so little attention paid to test data that the administrator who oversees the Title I division for the state Department of Education, Hanna Walker, was unable to say whether California has any Title I schools in which the majority of students are performing on grade level.

"We just don't have that information," she said.

From top to bottom, decisions about how schools spend their Title I allocations — which can amount to hundreds of thousands of dollars per school — are disconnected from the outcome. Federal officials say the states are responsible for holding schools accountable. State officials contend it is up to the districts. Districts tell you decision-making rests at the school site.

At the schools, some principals and many teachers were unfamiliar with their achievement data. Those who had data on hand often did not know how to interpret it. Most contended that standardized tests — the yardstick by which the rest of the nation judges students — should not be used to measure low-income students.

Interviews with teachers and administrators make clear that in Sacramento and around the nation, the failure of education officials to hold schools accountable for raising the achievement of poor students has helped

foster the mentality that it cannot be done. Though many educators pay lip service to high expectations, it is clear from their other comments that — never having seen success — they have a difficult time believing in it.

The mentality is evident at the state level, where education officials have set up a separate recognition system for poor schools, which are not recognized for high achievement, but for making small gains in low test scores and creating "positive" environments.

Each year, the state Department of Education sends out a publication profiling the Title I schools recognized as "achieving" the previous year. But the booklet, titled "Yes, We Can," never even mentions achievement levels. Instead, each school is lauded for its efforts in fostering such intangibles as "positive school climate," "respect for students' cultures and languages," "effective organization for learning."

At Bryte Elementary, a West Sacramento school that twice has won the achieving-schools award, Principal Linda Langtry, accustomed to the praise that comes from comparing favorably to other poor schools, was surprised to learn that students there were reading, on average, at the 30th percentile.

"Thirtieth, that's not very high," she said.

One hears the diminished expectations up and down the chain of command. In West Sacramento's Washington Unified School District, where five of the nine schools are more than 85 percent low-income, administrators said they do not normally provide the school board with achievement test results for individual schools, arguing that students from different backgrounds cannot fairly be compared.

"I tell them you really have to compare apples and apples," said Assistant Superintendent Patrick Campbell. "The ethnic compositions are really different. Some have bilingual students, some do not. Some are poor, some are not."

At Howe Avenue School in the San Juan district, Title I coordinator Laurie Burden echoed educators regionwide, contending that high-poverty schools have to measure student success differently than other schools.

"You ask how we measure them? It's the daily things you see a child do. Maybe today they pick up a pencil and write a sentence," Burden said. "I think standards at a school can be developed,

but to say all 58 schools should be at this point at the end of third grade — it's a dream, and it's hard to see it's a realistic dream for our kids."

As part of its 1994 reauthorization of Title I, Congress tried to safeguard against such a two-tiered system by mandating that states use the same standards and assessments for poor students as they do for all students. States have until 2001 to create the standards and assessments, and according to federal education officials, the majority are in the process of doing so.

But absent strong federal oversight, critics maintain, simply requiring states to devise such systems will not ensure they are effective. According to a report issued last year by the American Federation of Teachers, most states that have developed standards have rendered them too weak or too vague to provide an adequate basis for measuring achievement.

California is only now developing standards, which as proposed, would be voluntary. The results, to be assessed only at benchmark years, would not measure performance at the classroom level, nor would they be tied to student promotions.

The state has gone three years without a statewide exam. For months, state legislators and Gov. Pete Wilson bickered over details of his demand that the state buy an off-the-shelf test to administer in grades 2 through 11 next spring. But to many, their agreement to purchase such a test is little more than window dressing: States such as Texas that are seeing widespread gains have implemented all-encompassing, carefully aligned reforms that have resulted in schools tying curriculum to rigorous state exams, which in turn are aligned to detailed statewide standards.

And unlike Texas, California does not penalize 6 schools whose students are failing.

As part of the 1994 reauthorization, Congress gave states permission to sanction high-poverty schools that do not make "adequate progress" toward state standards. But lawmakers left it to each state to define "adequate" and to determine what happens when schools do not comply.

In California, where the task force charged with devising an accountability system recently changed its name from the "rewards and sanctions" committee to the "incentives" committee, it is not at all clear that state officials are prepared to

hold high-poverty schools responsible for raising achievement.

"Most states are afraid to do that," said Dougherty, who is reviewing state education plans for the federal government. "They've got everything in place, but they don't want to hold the districts accountable. As a result, the students and teachers don't believe them."

Without standards — in some cases without district teaching manuals — teachers interviewed said they tend to base grade-level expectations on what they have heard or read or seen in the classroom next door.

"(California's) teachers are just in there making it up," said Harvard's Elmore. "They're doing any damn thing they want, and it doesn't matter if anybody learns anything."

At Howe Avenue School, a San Juan district elementary where second-graders tested in the bottom 15th percentile nationally in reading, teachers seemed bemused when asked whether their students are reading on grade level.

"What is your definition of reading?" asked one first-grade teacher.

In Sacramento's high-poverty schools, the lack of direction translates into a subculture of partially grasped concepts and diminished expectations: first-grade teachers whose goal is for students to learn half the alphabet; third-grade teachers who give up trying to get students to memorize the multiplication tables, hand out cheat sheets and move on; fifth-grade teachers who read the social studies text aloud because the students can't understand it on their own; middle-school teachers who assign posters for projects because the students can't write reports.

The results are reflected in the 1994 National Assessment for Educational Progress, which provides state-by-state comparisons of fourth-grade reading skills. California tied with a handful of states for the lowest average score, with a majority of students unable to demonstrate basic skills.

But closer analysis shows California's bottom achievers scored well below low achievers in any other state, dragging down the state average as a whole. And data indicate that it is poor students who dominate that bottom rank.

A 1994 report by the state Legislative Analyst's Office found that low-income urban fourth-graders in California scored lower on national math exams than similar students in New York, Texas,

Florida and Arizona, states chosen for their comparable demographics.

California educators frequently lay the blame for the state's low achievement on its large numbers of limited English speakers, particularly from Mexico and Central America. And, in fact, Latinos in the state scored among the lowest of any subgroup in the nation on a recent reading assessment.

But in Texas, which like California has a public school population that is heavily poor and more than one-third Latino, language barriers have not stopped schools from making tremendous gains. Since 1992, when the state initiated widespread reforms, the percentage of low-income students passing state proficiency exams has risen from 29 percent to 53 percent.

In the El Paso region, whose three school districts together have enrollments more than two-thirds low-income and 85 percent Latino, the gains have been similarly stunning: In 1996, 61 percent of the region's students passed the state reading, writing and math exams, up from 35 percent in 1993.

In fact, a host of studies has determined that the surest predictors of a child's academic success — both 30 years ago and today — are not language ability or ethnic background. The most reliable indicators of how a child will do in school are family income and the mother's education level.

The struggle is evident in the most recent data kept by the state, dating from 1994-95, which shows that students receiving Title I services exited both the second and 12th grades scoring in the 18th percentile in reading and in the 27th percentile in math. The grade levels between varied only slightly.

And those scores reflect the performance of the most stable students in poor schools — the 40 percent who stayed in the same school from one spring to the next and so were present for a pretest and post-test. 2 California does not track the achievement of the 60 percent of its Title I students who move from school to school and are assumed to be lower performing.

For the last two years, citing a change in federal requirements, California has opted not to collect any achievement data from Title I schools.

Goaded by a Congress looking for programs to cut, the U.S. Department of Education only recently funded its first major evaluations of the decades-old Title I program. In March, it released the

results of a three-year study involving 40,000 students that found that the billions of dollars spent on Title I services during those years had failed to narrow the achievement gap between students in high- and low-poverty schools. Moreover, the researchers found no indication that poor students who received services performed any better than poor students who did not.

"There are a lot of programs out there, and they are often in conflict," said Beverly Farr, program director for WestEd, a research institute federally funded to work with poor schools. "(Schools) start a program, then another and another, and no one collects data. People have gotten so into doing this, going through the techniques, that they're not thinking."

In California, for instance, over the past four years the state has intervened with more than 230 schools in which poor students were losing ground, sending in advisers or asking districts to get involved. But the state has yet to collect data on whether those interventions have made a difference. The first update is not expected until fall, Walker said.

That districts and schools regularly decide how to spend their sizeable Title I entitlements without any reliance on hard data confounds researchers — particularly because there are documented successes.

"It's happening. Not in many places, but in some schools in every state in the union," said Johns Hopkins researcher Sam Stringfield. "What it tends to be associated with now is a wonderful principal who has worked hard and developed a wonderful faculty. And in that respect, it's not replicable. . . . What we need to find are more transportable methods."

Universities and private foundations have developed a handful of programs that have been successful at some poor schools, including several in California. But at many others, getting teachers and principals who have never seen success to really believe poor students can achieve on par with the nation has proven too difficult.

"There is water coming in all over the place, and you just keep running around with buckets," said Jim Sweeney, acting superintendent of Sacramento City Unified. "You try little ways to feel successful, and then the scores come in, and they're low, and you feel tired because you don't know what to do about

it.

"The big system has a lot of chaos, and even with good intentions, it's very challenging not to (lower your standards). The water kept dripping, and you just kind of gave up."

Howe Avenue School, San Juan Unified

A fourth-grade teacher, in his first year, discusses his class with a visitor, while behind him they jump on desks and crawl under tables.

He has 30 students, the majority of whom are performing below grade level. They are supposed to be starting fractions, he says, and he has students still stuck on addition.

"I'd say the whole year was trial and error," he says. "You have to be on them every single second. The minute you turn your back they're gone."

Behind him, one student bashes another in the head with a notebook. Others career around the room.

"5, 4, 3, 2 . . ." the teacher begins for the umpteenth time.

Jonas Salk Middle School, San Juan Unified

Following are excerpts from students' vocabulary journals.

"Calligraphy: the civil and religious ruler of a muslim state."

"The president confucianism that the world will get better/meaning be an better place to live."

"The money economy is cool because you exchange things for water." Harmon Johnson Elementary, North Sacramento School District

Following are emergency situations covered in the district's Crisis Handbook, posted on the bulletin board outside the principal's office:

"Abandonment. Custody Disputes. Fire. Neglect/Abuse/Molestation/Rape. Toxic Hazards. Violence/Shootings/Terrorism. Hostage/Hostile Disturbances. Bomb Threats. Kidnapping/Attempted Kidnapping. Vehicle Emergency. Death/Suicide." Maple Elementary, Sacramento City Unified

It is time for math, and the third-grade teacher tells students to turn to page 415. One boy flips nervously through the pages, looking to his neighbors for an indication of when to stop. It appears he does not know his numbers, and so is uncertain how to locate "415."

With assistance, he finally finds the page, and struggles to write his name on his notebook paper. He misspells it, then copies down the wrong problems and fills in the wrong answers by eyeing his

neighbors' sheets.

The teacher explains that the boy arrived just two weeks before, having spent only two weeks at his previous school. He suspects the child is far enough behind to warrant special

education services. But determining that, he said, is a tedious process, requiring him to document classroom observations, draw up an improvement plan in concert with other teachers, and if that fails, to schedule time with a district psychologist

for testing.

With just a few weeks left in the year, he says, the evaluation process has shut down. He will leave a note for next year's teacher. ■

37. Portland Press Herald

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FAME TO PAY OFF HAIR SCHOOL LOANS THE STATE FINANCE AGENCY STATE ACADEMY OF HAIR DESIGN.

By Andrew Garber
Staff Writer

As many as 200 students who attended the Maine State Academy of Hair Design when it closed in August will not have to pay off their federal loans.

The Finance Authority of Maine announced Friday it will forgive the loans of students who were enrolled in the school at any point between May 29 and Aug. 29, the day the school closed.

FAME could end up forgiving \$531,000 in loans, said Charles Mercer, the agency's spokesman. The agency oversees student financial aid programs in Maine.

"This is something we've been working on since the get-go," Mercer said. "This is the largest amount we've ever forgiven."

Also on Friday, U.S. Rep. John Baldacci, a Maine Democrat, said that the General Accounting Office in Washington will review how the U.S. Department of Education has handled problems found in the past at the hair design school.

The Education Department has been criticized by FAME for knowing that problems existed at the school, but not taking action several years ago.

FAME began investigating the cosmetology school after students complained on Aug. 21 that they were having trouble getting refunds. The

school closed shortly afterward.

Mercer said that although FAME will pay off the student loans, the agency will be reimbursed by the federal government for close to 100 percent of the amount. In turn, the federal government is covered by insurance, he said.

The loans in question are called "Federal Family Education Loans." Eligible students typically take out such loans from a bank. The federal government subsidizes the loans by paying the interest while students are in school. It is the most common form of student financial aid in Maine, Mercer said.

FAME guarantees the loans, which means that if a student does not make loan payments after graduation, the finance authority must step in and make the payments.

In terms of paying off the Maine State Academy students' loans, the money ultimately will come from an insurance reserve fund that covers the federal student loan program, Mercer said.

Students on Friday were relieved by the news that FAME would repay their loans.

"If they do this it will help out a lot. I just hope they really do it," said Linda Michaud of Augusta. Michaud said she had just six weeks until graduation when the academy closed.

FAME's offer would get rid of a \$2,600 student loan for Michaud and

clear the way for her to enroll in another cosmetology school, she said.

"I want to go to school really bad," she said. "This is the career I chose."

Mercer said FAME will begin sending out forms this weekend to Michaud and other students to fill out. Once the forms are returned, paying off the loans "is almost instantaneous," Mercer said.

There are still many students who will not be helped by FAME's decision to pay off loans. For example, students who attended the school prior to May 29 will not get their loans paid off.

And former students who have already paid their loans also won't be helped by the action. That's Kaeley Sproul's situation.

"I don't know what (FAME's action) will do for me at this point," said Sproul of Lincoln, a former student who left the school several years ago.

Mercer said a lawsuit pending in the U.S. Bankruptcy Court is the only recourse for students like Sproul.

If the suit succeeds, the money will be used to reimburse FAME for paying off loans and to help students whose loans were not forgiven, he said.

There are now 74 students asking the bankruptcy court to put the school into involuntary bankruptcy so they can get their money back. A bankruptcy court judge has appointed a trustee to oversee the school's assets. ■

21. Phi Delta Kappan

September 1997

Foolishness, Dangerous Nonsense, And Real Correlates of State Differences In Achievement

By Bruce J. Biddle

Using SIMS, TIMSS, and NAEP data sets, Mr. Biddle reveals that levels of school funding and rates of child poverty in the U.S. are strongly associated with differences in eighth-grade mathematics achievement among both districts and states. If our schools are to be improved, he suggests, Americans must ignore nonsensical arguments about higher standards and face up to the real problems of education.

ONE OF THE stranger episodes in the history of American debates about education is now unfolding in Washington. As a result of continuing claims about a "crisis" in our schools¹ and assertions that our country is not now "first in the world" in achievement, Americans are being urged to adopt all sorts of controversial "reforms" in education. For his part, President Clinton is asking that each state adopt tough standards for achievement in mathematics, science, and other subjects - arguing that if such standards are adopted (and enforced), achievement in those states will rise.

In making this argument, the President has been supported by a host of powerful voices ranging from Louis Gerstner, Jr. (CEO at IBM) to Ronald Wolk (editor of Education Week) to the late Albert Shanker (formerly president of the American Federation of Teachers) and others. This argument assumes that "one of the [major] weaknesses of American education is that we lack clear goals for what students should learn and how well they should learn it."² If this premise is correct, then if some states set (and enforce) high standards, it is argued, parents in those states will demand more from their schools, and those schools will revise their curricula, adopt tougher textbooks, retrain their teachers, and otherwise reform their formerly lax procedures.

This line of thought presupposes that educators are either confused or feckless but (perhaps like employees in private industry) will mend their ways if only they are given guidance or a swift kick. For the moment, let us ignore the

unreality of this assumption. The major problem with the argument is that it is not supported by evidence. It is easy, of course, to find examples of individual school districts or states in which standards and achievement are both high, or where both are low, but this does not mean that these events are linked causally. To support such an argument, one would need evidence indicating that, when districts or states that represent the full panoply of American students and schools set high standards, they also generate greater levels of achievement - by comparison with other, comparable jurisdictions where high standards are not set. But such evidence has not yet appeared, nor is it likely that we will ever see it.

This doesn't mean that research has failed to explore what actually generates differences in achievement among school districts and states in America. On the contrary, a good deal of research has now appeared concerning the real causes of achievement deficits, and evidence from these efforts suggests strategies for improving American education that are quite different from those being advocated in Washington. For the purposes of this article, I focus on two such causes, both associated with social problems that are particularly severe in our country: poor school funding and poverty among children. As some readers may know, controversies have arisen over the educational effects of each of these factors.

Poor School Funding

I begin with the social problem posed by American differences in school funding. As it happens, the United States differs from most industrialized nations in that much of its funding for public schools comes from local sources. As a result, funding varies sharply from affluent to impoverished school districts throughout our country.

How large are these differences? Actually, they are enormous. In 1995, for example, New Jersey funded public schools at an average annual rate of \$8,118 per student (adjusted for

differences in cost of living), whereas Arkansas, the state with the worst spending figures, spent \$3,599 per student.³ Large funding disparities also appear within many states. In 1992, for instance, the disparity in per-student support for schools in Alaska at the fifth and 95th percentiles was an enormous \$12,737 - whereas in Montana the difference was "merely" \$9,171, in New York it ran \$7,571, and in Wyoming it was \$7,400.4 What this means is that a few American students (who just happen to live in rich communities within generous states) are now attending "public" schools that are funded at \$15,000 or more per student per year, whereas other American students (who are stuck in poor communities within niggardly states) must make do with \$3,000 or less per year in public school funding. Differences of this magnitude generate tremendous disparities in the quality of school buildings, facilities, and curricula, equipment for instruction, teacher salaries, and student/teacher ratios. Such disparities do not appear in other industrialized nations.

It seems obvious that high levels of funding will generate greater student achievement. Indeed, that is one reason why rich suburbs support superb schools. Moreover, legal battles have been fought in various states seeking greater equity in school funding. And yet evidence confirming the presumed tie between funding and student achievement has proved elusive.

Since level of school funding is correlated with family advantage, and family advantage is also presumably tied to achievement, one must control for the effects of advantage when estimating the (net) impact of funding - and prior studies using such controls have generated controversy. Nearly 100 studies have now been published that appear to bear on this topic. Many have not found significant effects, and some reviewers have decided that this means that funding has "no strong or systematic" net effect on achievement in America⁵ - a conclusion welcomed by

some economists and ideologues hostile to the public schools, teacher unions, and the public sector generally. In contrast, other reviewers have looked at effect sizes reported in these studies and concluded that the net impact of school funding is actually "substantial."⁶ Their conclusion has been welcomed by educators, of course, but has been attacked by those who want to believe that level of funding has no impact on education; thus the issue has remained unresolved.

There is but one small problem with this controversy. Both of these conclusions presuppose that the typical study from this literature provides competent evidence - that its methods and designs were appropriate for estimating the net effects of school funding. Unfortunately, this is far from the case. Most of these studies were based on small and nonrepresentative samples and did not examine school funding directly but rather funding-associated school characteristics (such as teacher salaries) that may not have simple ties with achievement. Many also employed questionable operations, nonvalidated scales, poor regression models associated with multicollinearity problems, and inappropriate analysis techniques, all of which generate falsely depressed estimates for the impact of funding. In addition, the studies have used a surprising array of measures for family advantage that have different implications for student achievement.

This does not mean that all prior work on the issue is valueless. On the contrary, a few studies have employed large samples, good operations focused on funding, and appropriate models and procedures - and a number of these have reported significant net effects for funding.⁷ But until recently it has been hard to find good studies of the topic that have made use of national samples, and the latter are necessary if one is to estimate achievement effects for the huge range of school-funding differences that now exist in America.

Thus, because of widespread and serious flaws in studies from this research tradition, one cannot use the bulk of its "findings" to reach valid conclusions about the effects of school funding in America. This situation has not stopped confused reviewers and conservative sources hostile to public education from stating such conclusions, of course, but the evidence backing their claims has not been persuasive.⁸

Poverty Among Children

The United States also differs from other advanced nations in a second way that bears on educational achievement: the rate of poverty among children is far higher in America.

Again, how bad is the problem? According to official government estimates, the child poverty rate now exceeds 20% in our country. This means that at least one-fifth of the children in America are likely to live in substandard housing, have an inadequate diet, wear only cast-off or torn clothes, lack health insurance, suffer from chronic dental or health problems, and be members of a family headed either by a single mother or by two overburdened parents who subsist on welfare or work long hours at miserably paid jobs.

Such a poverty rate far exceeds that of other industrialized nations. Evidence confirming this unpleasant truth comes from a group of scholars who have been studying income distributions in Western nations for more than a decade, the Luxembourg Income Study (LIS). The latest LIS papers on child poverty report data from roughly 1990 and compare 18 industrialized countries.⁹ Their figures show that the rate of child poverty in our country is more than 50% higher than for all other nations studied and five to eight times greater than the rates for some nations with which we are often compared with regard to educational achievement.

Why should child poverty in America be so extensive? For one thing, recent shifts in the industrial culture, political climate, and tax laws of our nation have generated a massive upward redistribution of income and wealth - away from poor and middle-class Americans and into the hands of the super rich.¹⁰ For another, child poverty always tends to be high within families that are headed by single mothers, and America has a huge number of single-mother families. Above all, the U.S. does not provide various tax-supported services, common in other industrialized nations, that serve the needs of poor children: a national health care system, tax-supported preschools, paid leaves for child and prenatal care, universal child allowances, child-support programs for single parents, safety nets for families with special needs, and secure unemployment or low-wage supplemental income programs.

Child poverty is both a huge social problem in our country and an obvious

generator of educational difficulties.

But poor children are also the clients of schools, and they are uniquely handicapped for education because of their poverty. The homes of poor children provide little access to the books, writing materials, computers, and other supports for education that are normally present in middle-class or affluent homes in America. Impoverished students are also distracted by chronic pain and disease; have poorer nourishment; tend to live in communities that are afflicted by physical decay, serious crime, gangs, and drugs; and must face problems in their personal lives because their parents or older siblings have left home, died, been incarcerated, or lead seriously disturbed lives. All of this means that poor children have a much harder time in school than their more affluent peers.

Given the seriousness of the poverty problem, one might assume that a host of good studies investigating the effects of child poverty on achievement would have appeared. Actually, such studies are hard to find. Part of the difficulty seems to be that good data on the poverty of individual students or their families are not often gathered in America. Thus studies of poverty effects in schools must usually make do with indirect indicators, such as students' eligibility for free or reduced-price lunches. When such studies are conducted, they find, of course, that child poverty has a negative impact on school success.¹¹ But many of these studies have not involved statistical controls, so it is often not clear whether their findings reflect poverty alone or also the effects of other "risk" factors likely to be correlated with poverty, such as race, ethnicity, or immigrant status. However, a few studies have employed such controls, and they report sizable net effects for student poverty.¹²

These findings are important, but they still leave a major question unanswered. Poor children in the U.S. are also likely to attend underfunded schools, so raw statistics indicating that their achievement is low may also reflect the inadequacies of those schools. Given this latter issue, one would assume that at least a few of the many school-funding studies I discussed above would also have examined the impact of child poverty. Alas, this has not been the case. Some school-funding studies have, indeed, included measures for child poverty in scales for estimating family

socioeconomic characteristics, but it is difficult to find even one such study in which child poverty was measured by itself as an indicator of disadvantage. Thus one cannot tell from prior research whether child poverty has achievement effects that are independent from those of poor school funding.

In part, the paucity of good research on the effects of child poverty seems to reflect a general unwillingness to debate or even think about poverty and its impact within the current political climate of America. This is absurd when it comes to poverty and education. Child poverty is not only a huge social problem in our country but also an obvious generator of educational difficulties, and it deserves at least as much attention as any other component of (dis)advantage.

A New Research Strategy

Given the evident problems of prior studies, the time is surely ripe for better research on the achievement effects of poor school funding and child poverty in America. Ideally, such research should be based on sizable, random, national samples; should make use of good measures for school funding, child poverty, achievement, and various control variables; and should feature appropriate models and techniques for analysis. As might be imagined, to conduct such research from scratch would be very costly. However, good databases have recently appeared that provide information on the characteristics of school districts from across the nation, and it is now possible to combine data from these sources with information from other sources concerned with student achievement to construct less-expensive studies based on secondary analyses.

One of my students and I have recently conducted such a study in which we explored predictors of eighth-grade achievement scores for public schools using the American data from the Second International Mathematics Study (SIMS).¹³ Our project examined not only school funding and child poverty but also many control variables. Results from the study revealed statistically significant, net effects for both school funding ($\beta = +.296$, $p < .01$) and child poverty ($\beta = -.358$, $p < .01$). These effects persisted even when controls were entered for such potent variables as race and level of curriculum to which students had been exposed.¹⁴

Moreover, the results we found were substantial. District-level differences in

school funding and child poverty explained more than 25% of the variance of differences in mathematics achievement. Since the American SIMS data were part of a larger international study, we were also able to compare our funding and poverty effects with those generated by cross-national comparisons. In doing so, we estimated that the mathematics achievement score for a typical "advantaged" public school district in America (i.e., one with high funding and low child poverty) would be above those reported for all European countries in the original SIMS data and second only to Japan - the top-scoring nation in that study - whereas the score for a typical "disadvantaged" American school district would be below all European nations and approaching those of Nigeria and Swaziland!

As it happens, the first of these estimates has now been stunningly supported. Data for IEA's Third International Mathematics and Science Study (TIMSS) have recently been released.¹⁵ Some months ago a separate consortium of "advantaged" school districts from the Chicago North Shore was also given permission to participate in the TIMSS program, and a report of their achievement scores has

just reached our desks.¹⁶ The mathematics achievement scores they report are indeed (as we had estimated) above many European countries participating in TIMSS and significantly lower only than Singapore, the top-scoring nation in that study!

State Differences in Achievement

In short, good evidence has now appeared indicating that differences between public school districts in levels of funding and rates of child poverty generate large disparities in eighth-grade mathematics achievement. But what about differences between the states? Do equivalent effects appear when we compare states that are high and low in school funding and child poverty?

It is actually quite easy to explore this question. The 1996 NAEP data for mathematics achievement have just been released, and they include a breakdown of average eighth-grade achievement scores for public schools in 40 of the 50 states.¹⁷ In order to explore the effects of school funding and child poverty on these achievement data, then, we need only locate state-level data for funding and poverty. The former may be found, of course, in Education Week's recently released supplement, Quality Counts,¹⁸

whereas the latter also appear in the NAEP mathematics report.¹⁹

If one compares information from these three data sets, one discovers that state differences in school funding are correlated with mathematics achievement at $r = +.433$ ($p < .01$), whereas the child poverty/achievement correlation is a mammoth $r = -.700$ ($p < .001$)! Moreover, when one examines funding and poverty as joint predictors of achievement in a regression analysis, one learns that the net effects of both factors remain statistically significant, with $\beta = +.262$ ($p < .03$) for school funding and $\beta = -.629$ ($p < .001$) for child poverty, and that these two factors predict an astounding 55% of the variance of state differences in average achievement. In short, not only do differences in school funding and child poverty matter at the state level, they are major predictors of state-level averages in mathematics achievement. Indeed, the impact of child poverty seems to be stronger at the state level than at the district level.

I confess that I was startled by the large size of these effects when I first computed them. Since then, the opportunity to check their validity has arisen with the publication of the second and last NAEP data set to be released this year, this one concerned with science achievement in 1996. The report of these latter data also provides information about the average eighth-grade achievement scores for public schools from 40 of the 50 states,²⁰ and again it is easy to study how these scores are predicted by state differences in school funding and child poverty. The results from this comparison largely parallel those for mathematics. This time the correlation obtained for school funding is $r = +.389$ ($p < .02$), while that for child poverty is $r = -.696$ ($p < .001$). Results for the regression analysis differ slightly, however. This time, although the net effect of school funding remains substantial, it drops slightly below the conventional .05 level of statistical significance ($\beta = +.215$, $p < .075$), and the proportion of state-level achievement variance predicted by funding and poverty is "only" 53%. However, the net effect for child poverty remains huge ($\beta = -.628$, $p < .001$). Thus, once again, one learns that these two factors are major predictors of state differences in achievement - this time, science achievement - and that the impact of child poverty is very strong at the state level.

This finding raises an interesting question. Why should child poverty be a stronger predictor of achievement at the state than at the district level? The answer seems to be that more experiences related to both child poverty and achievement are tapped in larger units of analysis. Child poverty has but one type of effect at the level of the individual student: it interferes with that person's achievement. At the level of the school and district, however, it can generate effects in two ways: by affecting the individual student and by creating a collective "environment of poverty" within the school or community. At the level of the state, child poverty is likely to be associated with additional environmental problems and missing social services that further diminish educational possibilities for the student. Thus states with especially high levels of child poverty handicap their students for education in many ways.

Implications

The effects I report here help us understand why setting higher standards will have so little impact on achievement. If many, many schools in America are poorly funded and must contend with high levels of child poverty, then their problems stem not from confusion or lack of will on the part of educators but rather from lack of badly needed resources. In fact, setting higher standards for those disadvantaged schools can even make things worse. If they are told that they now must meet higher standards, or - worse - if they are chastised because they cannot do so, then they will have been punished for events beyond their control. Thus arguments about higher standards are not just nonsensical; if adopted, the programs they advocate can lead to lower morale and reduced effectiveness among the many educators in the U.S. who must cope with poor school funding and extensive child poverty.

Isn't it time to reconstitute the terms of the debate? Surely our schools can be improved, but if this is to happen Americans must be willing to face up to the real problems of education. I submit that one way - perhaps the best way - to begin is by debating and (at long last) taking action to solve the serious problems of inequities in school funding and massive child poverty in our country. Solving these problems will require that additional resources be devoted to the needs of poor and middle-class persons, of course. But surely it is time that those

persons - - the majority of Americans - spoke up, demanded equity, and explained why a fairer and more effective system of education would benefit all Americans.

1. See David C. Berliner and Bruce J. Biddle, *The Manufactured Crisis: Myths, Fraud, and the Attack on America's Public Schools* (New York: Addison-Wesley-Longman, 1995).

2. *Quality Counts: A Report Card on the Condition of Public Education in the 50 States*, special supplement, *Education Week*, 22 January 1997, p. 9.

3. *Ibid.*, p. 56.

4. *Ibid.*, p. 57.

5. See, for example, Eric A. Hanushek, "The Impact of Differential Expenditures on School Performance," *Educational Researcher*, May 1989, pp. 45-65; and *idem*, "A More Complete Picture of School Resource Policies," *Review of Educational Research*, vol. 66, 1996, pp. 397-409.

6. See, for example, Larry V. Hedges, Richard D. Laine, and Rob Greenwald, "Does Money Matter? A Meta-Analysis of Studies of the Effects of Differential School Inputs on Student Outcomes," *Educational Researcher*, April 1994, pp. 5-14; and Rob Greenwald, Larry V. Hedges, and Richard D. Laine, "The Effect of School Resources on School Achievement," *Review of Educational Research*, vol. 66, 1996, pp. 361-96.

7. See, for example, Frederick D. Sebold, "School Funding and Student Achievement: An Empirical Analysis," *Public Finance Quarterly*, vol. 9, 1981, pp. 91-105; Robert C. Dolan and Robert M. Schmidt, "Assessing the Impact of Expenditure on Achievement: Some Methodological and Policy Considerations," *Economics of Education Review*, vol. 6, 1987, pp. 285-99; and Ronald F. Ferguson, "Paying for Public Education: New Evidence on How and Why Money Matters," *Harvard Journal of Legislation*, vol. 28, 1991, pp. 465-98.

8. See Gary Burtless, ed., *Does Money Matter? The Effect of School Resources on School Achievement and Adult Success* (Washington, D.C.: Brookings Institution Press, 1996); and Heritage Foundation, *Education Update*, vol. 12, no. 4, 1989.

9. Lee Rainwater and Timothy M. Smeeding, "Doing Poorly: The Real Income of American Children in a Comparative Perspective," Working Paper No. 127, Luxembourg Income

Study, Maxwell School of Citizenship and Public Affairs, Syracuse University, Syracuse, N.Y., 1995.

10. Denny Braun, *The Rich Get Richer: The Rise of Income Inequality in the United States and the World* (Chicago: Nelson-Hall Publishers, 1997); and Edward N. Wolff, *Top Heavy: The Increasing Inequality of Wealth in America and What Can Be Done About It* (New York: New Press, 1995).

11. See Gary Natriello, Edward L. McDill, and Aaron M. Pallas, *Schooling Disadvantaged Children: Racing Against Catastrophe* (New York: Teachers College Press, 1990).

12. See, for example, Mary M. Kennedy, Robert K. Jung, and Martin E. Orland, *Poverty, Achievement, and the Distribution of Compensatory Education Services* (Washington, D.C.: Office of Educational Research and Improvement, U.S. Department of Education, 1986); and Sanders Korenman, Jane E. Miller, and J. E. Sjaastad, "Long-Term Poverty and Child Development in the United States: Results from the NLSY," *Child and Youth Services Review*, vol. 17, 1995, pp. 127-55.

13. See Kenneth J. Travers and Ian Westbury, *The IEA Study of Mathematics I: Analysis of Mathematics Curricula* (New York: Pergamon, 1989).

14. Kevin J. Payne and Bruce J. Biddle, "Poor School Funding, Child Poverty, and Mathematics Achievement," unpublished paper, 1997. (This paper has been submitted for publication. Requests for reprints should be directed to the second author.)

15. Albert E. Beaton et al., *Science Achievement in the Middle School Years: IEA's Third International Mathematics and Science Study* (Chestnut Hill, Mass.: TIMSS International Study Center, Boston College, 1996); and *idem*, *Mathematics Achievement in the Middle School Years: IEA's Third International Mathematics and Science Study* (Chestnut Hill, Mass.: TIMSS International Study Center, Boston College, 1996).

16. David J. Kroeze and Daniel P. Johnson, *Achieving Excellence: A Report of Initial Findings (from the First in the World Consortium) for Eighth-Grade Performance from the Third International Mathematics and Science Study* (Oak Brook, Ill.: North Central Regional Educational Laboratory, n.d.).

17. Clyde M. Reese et al., *NAEP 1996*

Mathematics Report Card for the Nation and the States (Washington, D.C.: National Center for Education Statistics, 1997), p. 129. Ten of the states apparently did not participate in the 1996 NAEP effort. This makes it slightly more difficult to sort out predictors for state differences in achievement. Data that

those 10 states might have provided are missing, and only 40 cases are now left in the analysis, which means that even substantial effects may not generate statistical significance.

18. Quality Counts, p. 56.

19. Reese et al., p. 139.

20. Christine Y. O'Sullivan, Clyde M.

Reese, and John Mazzeo, NAEP 1996 Science Report Card for the Nation and the States (Washington, D.C.: National Center for Education Statistics, 1997), p. 25.

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Understanding and Improving Classroom Mathematics Instruction

An Overview of the TIMSS Video Study

By James W. Stigler and James Hiebert

Perhaps the most important finding of the TIMSS video study is that the Japanese approach to teacher development is very different from the American approach. Our biggest long-term problem, according to Mr. Stigler and Mr. Hiebert, is not how we teach now but that we have no way of getting better.

THE VIDEO component of the Third International Mathematics and Science Study (TIMSS) was the first attempt ever made to use videotape to study national probability samples of teachers at work. In this article, we present a brief overview of this unprecedented study, which involved detailed analysis and comparison of eighth-grade mathematics teaching in three countries: Germany, Japan, and the United States. We also discuss implications of the video study for the improvement of classroom mathematics teaching in the United States.

Collecting national samples of teaching can serve two important purposes. First, it gives us solid information about the processes of teaching and learning inside U.S. classrooms, information that is crucial for developing sound education policies. Efforts to improve student learning succeed or fail inside the classroom, a fact that has too often been ignored by would-be reformers. Setting standards for content and performance is an important first step. But student learning will not be improved merely by setting standards and holding teachers accountable. We must study directly the processes that lead to learning in the classroom, for if

we do not understand these processes we will have little chance of improving them. Most other professional and industrial fields have determined that improving the quality of the processes is the surest road to improving products, but we in education have yet to learn this lesson. The videotape study of classroom instruction allows us to refocus on teaching processes, with the aim of improving students' learning.

National samples of teaching also enable us to compare U.S. teaching methods with those used in other countries. This comparison allows us to see teaching in a new way. Teaching is a cultural activity.¹ It is an everyday event that occurs throughout all parts of American society. Over time, we have developed norms and expectations for teaching that are widely shared and passed along as one generation of students becomes the next generation of teachers.² Because our models of how teaching should look are so widely shared and so familiar, they become nearly invisible. We come to believe that this is the way teaching must be. When we observe teaching in other countries, these accepted and unquestioned practices are brought to light, and we see that we teach the way we do because we choose to teach this way. This realization is crucial because it opens up new possibilities for how we might improve teaching.

Conducting the TIMSS Video Study U.S. students performed poorly in the Second International Mathematics Study (SIMS), conducted in the 1980s. Consequently, as planning commenced

for the TIMSS, there was great interest in being able to go beyond the cross-national achievement data to focus on the underlying processes that produce achievement. Instructional processes in the classroom were assumed to be an important cause of student learning. But how could something as complex as teaching be studied on a large scale, across cultures?

One approach is to give teachers a questionnaire asking them to describe their instructional practices. Although such a questionnaire had been administered as part of SIMS, there are problems with this approach. Even within the U.S., we lack shared meanings for the words we use to describe teaching. One teacher will call something "problem solving" while her colleague next door calls the same thing a "routine exercise." The problem of no shared language is compounded in a cross-cultural questionnaire study. The responses are nearly impossible to interpret.

Thus the decision was made to collect direct information on teaching by videotaping classroom instruction. Video had long been used for small-scale, in-depth qualitative research but had never been employed on such a large scale before. For this reason, the scope of the study was limited to one of the three grade levels studied in TIMSS (eighth grade) and to three of the 41 TIMSS countries (Germany, Japan, and the United States). Germany and Japan were chosen because they are both viewed as important economic competitors of the U.S. Japan is of special interest because

it has repeatedly scored near the top in international comparisons of mathematics achievement.

Three straightforward goals guided the study: 1) to learn how eighth-grade mathematics is taught in the United States, 2) to learn how eighth-grade mathematics is taught in the two comparison countries, and 3) to learn how American teachers view reform and to see whether they are implementing teaching reforms in their classrooms. To achieve these goals, a number of methodological hurdles had to be cleared.

Sampling. If we wanted to use video to paint national portraits of eighth-grade mathematics instruction, we needed to be sure that the videotapes we analyzed were representative of instruction in each country. A number of issues were considered. First, how should classrooms be selected? Fortunately, the TIMSS sampling plan was highly sophisticated. For this reason, it was possible to construct the video sample as a random subsample of the full TIMSS sample.³ Not only were specific teachers selected, but specific class periods as well. No substitutions were allowed, either by another teacher within the same school or by another class period with the same teacher. The final video sample included 231 classrooms: 100 in Germany, 50 in Japan, and 81 in the United States.

Having chosen the classrooms, we next needed to decide how many lessons to videotape in each one. In the end, we videotaped one lesson in each classroom. Although this enabled us to study the largest number of teachers within our budget, it precluded our studying some important parts of the teaching process, such as the methods teachers use for linking lessons together into units.

Finally, we wanted to be sure that our sample was representative of the entire school year. This was especially important in Japan, where a national curriculum dictates that different topics be taught at different times of the year across the entire nation. Although we succeeded in videotaping evenly across the school year in the United States and Germany, we were somewhat less successful in Japan, where our sample was skewed toward geometry and away from algebra. For some analyses, therefore, we selected balanced subsamples of algebra and geometry lessons in each country.

Videotaping procedures. At first glance, videotaping classroom instruction

seems straightforward: bring in a camera and turn it on. Unfortunately, things are not so simple. Seemingly minor decisions on the part of videographers - such as where to point the camera at any given moment - can significantly affect our view of what is happening in the classroom. To get useful, comparable video in all classrooms, numerous such issues had to be anticipated and resolved in advance.

Standardized procedures for camera use were developed, tested, and revised, and videographers were trained.⁴ Only one camera was used in each classroom, and it focused on what an ideal student would be focusing on - usually the teacher. After taping, teachers filled out a questionnaire describing the goal of the lesson, its place within the current sequence of lessons, how typical the lesson was, whether they had used methods recommended by the reforms, and so on.

Coding the tapes. When the tapes arrived at our research lab in Los Angeles, they were digitized (to increase durability and random access) and then translated and transcribed. The transcripts were then linked by time codes to the video in a multimedia database. These technical features helped to ease the viewing of the tapes, but they did not help in deciding what to code. Coding classroom instruction is notoriously difficult because there is so much to choose from. We kept two goals in mind: code those aspects that might make a real difference in the mathematics the students were learning, and define codes that would yield valid and informative descriptions of instruction across the three cultures. For the first goal, we drew from the research on teaching and learning in mathematics and from reform documents such as the Professional Standards for Teaching Mathematics.⁵

To meet the second goal, we convened a team of six code developers, two from each country, and spent the summer of 1994 watching and discussing 27 field-test tapes. Out of these intensive discussions emerged the initial coding system, which included categories such as the nature of the tasks, the kind of work expected of students, and the nature of classroom discourse. The system was refined regularly as the primary coding team began applying it to the actual study tapes and as inter-coder reliability checks indicated that categories needed further definition.

As the coding process unfolded, we found it essential to construct a summary table to represent each lesson. These lesson tables were skeletons of each lesson that showed, on a time-indexed chart, how the lesson was organized through alternating segments of classwork and seatwork, what pedagogical activities were used (e.g., explaining tasks, demonstrating procedures), what tasks were presented, and the solution strategies for the tasks that were offered by the teacher and the students. Some categories could be coded directly from the tables; some required re-viewing the tapes.

Advantages of video. The benefits of video are well worth the methodological challenges and the labor-intensive demands that this approach imposes. Video provides the researcher with two kinds of data: visual images rich in descriptive power and quantifiable indicators that summarize the contents of large numbers of images. Visual images are vivid and powerful, but they can mislead.⁶ They can create such a powerful impression that the viewer is seduced into thinking that a single case tells the whole story. Coding relevant indicators enables us to check the representativeness of the images. Each kind of data is significant, and each strengthens the other.

Video data are also relatively raw, in that they are not yet categorized or quantified. Unlike narrative observations or on-site coding, videos have not been filtered through the eyes of individual researchers and are not as constrained by the initial hypotheses of those who design the study. For this reason they can be analyzed by multiple coders with different interests using different coding schemes. We took advantage of this fact by asking a team of four postsecondary mathematics teachers (hereafter, the "Math Group") to analyze the mathematical content of the lessons.

Teaching in Germany, Japan, and the United States

Descriptions of teaching must be selective. There is more going on in a classroom than can be reported, even in a lengthy document. In a brief article, the problem is compounded. What follows is a selection from both the quantitative and qualitative data to illustrate the kind of information the study provides.

What kind of mathematics do students encounter? The nature and level of students' learning are probably influenced by the nature of their

mathematical experiences in the classroom. An opening consideration is the kind of mathematics that students in these classrooms encountered. One indicator is how advanced the topics were when compared with their average placement in the mathematics curricula of the 41 TIMSS countries.⁷ Matched against this scale, the average grade level for lesson topics in the videotape sample was mid-seventh grade for the United States, mid-eighth grade for Germany, and beginning ninth grade for Japan.

For information on the mathematical content students encountered, the Math Group analyzed 15 algebra lessons and 15 geometry lessons randomly selected from each country.⁸ The group based its analyses on the detailed descriptions of mathematical content contained in the lesson tables described in the previous section. To reduce likelihood of bias, tables were disguised so that it was not possible to tell which country the lessons came from. After analyses were complete, the results were tabulated by country.

One feature on which the team members focused was deductive reasoning, a form of mathematical activity that they considered central for students' engagement in important mathematics. They defined deductive reasoning as the reasoning needed to draw logical conclusions from premises. Mathematical proofs are the most familiar form of such reasoning. Deductive reasoning, as defined by the Math Group, was not common. Only one-fourth of the 90 lessons contained instances of it. As it turned out, these instances were found in 62% of the Japanese lessons, 21% of the German lessons, and 0% of the U.S. lessons.

Together, these indicators suggest that the kind of mathematics studied was significantly different for U.S. students than for their Japanese peers. But this is not the whole story. Perhaps U.S. teachers developed the lower-level content in ways that provided students with rich learning opportunities.

Are mathematical concepts and procedures developed? Mathematical concepts and procedures can either be simply stated by the teacher or be developed through examples, demonstrations, and discussions. Suppose the topic is the area of right triangles. Teachers can state that the area is found by measuring the base, measuring the height, multiplying them together, and dividing the product by 2;

demonstrate this procedure for a triangle or two; and then assign problems that enable students to practice the procedure. Alternatively, teachers can develop this procedure, showing, for example, how the formula $\frac{1}{2} \text{ base} \times \text{height}$ can be derived by combining two triangles to form a rectangle. Of course, the teacher might ask students to develop some of this themselves. We coded a particular mathematical topic "developed" if teachers made any attempt to motivate a procedure or explain why it worked. As shown in Figure 1, concepts and procedures were usually developed in German and Japanese lessons but merely stated in U.S. lessons.

What are students expected to do? In the findings presented thus far, Germany and Japan have appeared more similar to each other than either is to the U.S. When we examine what students actually do during the lessons, however, Germany and Japan diverge. In all three countries, in almost all lessons, students were asked to solve problems. Lessons differed, however, in how much creative mathematical work was expected of the students. In some lessons, a procedure was demonstrated or developed by the teacher, and students then were asked to apply this procedure to solve the assigned problems. In other lessons, students were asked to develop procedures themselves, based on what they had learned in previous lessons.

We coded the nature of the work expected of students during seatwork into three categories: 1) practicing routine procedures, 2) applying procedures in new situations, or 3) inventing new procedures and analyzing new situations. The first category is familiar: the teacher demonstrates or develops a procedure, such as solving a linear equation for x , and then assigns a number of similar problems on which students are to practice the same procedure. The second category includes cases in which a procedure is demonstrated or developed for solving one kind of problem - say, finding the area of a right triangle by adjoining an identical triangle to form a rectangle and calculating half its area. Students are asked to apply the same procedure to another kind of problem, say, finding the areas of nonright triangles. The third category requires even more of students: they are asked to invent solution methods, analyze mathematical situations, or generate mathematical proofs. For example, students might be asked to predict the

sum of the interior angles of a 10-sided polygon after measuring the sums for three-, four-, and five-sided polygons.

Coding seatwork into these three categories resulted in the differences shown in Figure 2. Japanese students spent less time practicing routine procedures and more time inventing, analyzing, and proving than their peers in the other countries. German and U.S. students spent almost all their time practicing routine procedures.

What is the teacher's role? Based on the information presented thus far, the reader may have developed the impression that teachers play a far more active role in Germany and the U.S. than in Japan. For example, whereas German and U.S. students usually practice methods developed or presented by the teacher, Japanese students are often asked to develop methods themselves. But to assume that Japanese teachers are less active or directive than German or U.S. teachers would be a mistake.

Although it is true that Japanese teachers give students time to struggle with challenging problems, they often follow this up with direct explanations and summaries of what the students have learned. This is why Japanese teachers were coded as engaging in more direct lecturing than either German or U.S. teachers. Although the time devoted to lecturing was minimal in all three countries, 71% of Japanese lessons contained at least some lecturing, compared with only about 15% of German and U.S. lessons. Japanese teachers also control the direction of the lesson in subtle ways, such as creating conditions in the classroom that will govern the kinds of solution methods students are likely to invent. For example, to begin a lesson, they often select problems that can be solved by modifying methods that were developed during the previous lesson.

How are lessons organized? Even with the small set of indicators presented to this point, it is clear that eighth-grade mathematics teaching differs across countries, especially between Japan and the United States. Students in these classrooms have different mathematical experiences. The differences are not just a matter of degree: U.S. students apparently experience a different kind of mathematics than their Japanese peers. But the indicators don't tell us everything. For example, how do teachers in each country design and implement lessons to produce such clear

differences on the indicators?

The benefits of video are well worth the methodological challenges and labor-intensive demands that video imposes.

In order to understand how lessons are developed, it is useful to know what goals teachers set. Teachers were asked in the questionnaire what "main thing" they wanted students to learn from the lesson. Most teachers focused either on mathematical skills (solving specific kinds of problems or using specific formulas) or on mathematical thinking (exploring, developing, and understanding mathematical ideas or inventing new ways to solve problems). As shown in Figure 3, there were large differences between countries. Japanese teachers emphasized thinking; German and U.S. teachers emphasized skills. To understand how these goals are translated into classroom lessons, it is helpful to consider the larger context within which they are constructed.

We noted earlier that teaching is a cultural activity. Cultural activities often have a "routineness" about them that ensures a degree of consistency and predictability. Lessons are the daily routine of teaching and are usually organized according to a "cultural script," a commonly accepted and predictable way of structuring a classroom session and sequencing the instructional activities. Although we may have a feel for American lessons from our shared experiences, most of us do not know what Japanese lessons look like. For this we need the videos, the visual images.⁹ Our sense of the scripts that underlie Japanese and American lessons gradually emerged as we watched the videotapes and discussed what we saw with coders and observers from the other countries. The differences in the scripts undoubtedly follow from different instructional goals and are probably based on different assumptions about the nature of mathematics, the ways in which students learn, and the appropriate role for the teacher. Our presentations of these scripts are obviously based on subjective impressions, but their veracity can be checked by other observers and by examining whether they are consistent with the indicator results.

The typical eighth-grade mathematics lesson in the U.S. is organized around two phases: an acquisition phase and an application phase. In the acquisition phase, the teacher demonstrates or leads a discussion on how to solve a sample

problem. The aim is to clarify the steps in the procedure so that students will be able to execute the same procedure on their own. In the application phase, students practice using the procedure by solving problems similar to the sample problem. During this seatwork time, the teacher circulates around the room, helping students who are having difficulty. The problems that are not completed by the end of the lesson are often assigned as homework.

The typical eighth-grade mathematics lesson in Japan follows a different script. The lesson focuses on one or sometimes two key problems. After reviewing the major point of the previous lesson and introducing the topic for today's lesson, the teacher presents the first problem. The problem is usually one that students do not know how to solve immediately but for which they have learned some crucial concepts or procedures in their previous lessons. Students are asked to work on the problem for a specified number of minutes and then to share their solutions. The teacher reviews and highlights one or two aspects of the students' solution methods or presents another solution method. Sometimes this cycle is repeated with another problem; other times, students practice the highlighted method or the teacher elaborates it further. Before the lesson ends, the teacher summarizes the major point for the day. Homework is rarely assigned.

Of course, not all teachers in each country teach in these ways, and not all lessons follow these scripts. But what is striking, when viewing the videotapes across the two countries, is how many of the lessons appear consistent with these scripts.

How do teachers view reform? It is interesting to note that in some respects Japanese lessons appear consistent with reform recommendations proposed by such documents as the Professional Standards for Teaching Mathematics of the National Council of Teachers of Mathematics (NCTM). Japanese lessons include high-level mathematics, a clear focus on thinking and problem solving, and an emphasis on students' deriving alternative solution methods and explaining their thinking. In other respects, though, Japanese lessons do not follow such reform guidelines. They include more lecturing and demonstration than even the more traditional U.S. lessons, and we never observed calculators being used in a

Japanese classroom.

Regardless of whether Japanese classrooms share features of "reform" classrooms or not, it is quite clear that the typical U.S. classrooms do not. This is especially interesting given the fact that the U.S. teachers, when asked if they were aware of current ideas about the best ways to teach mathematics, responded overwhelmingly in the affirmative. The vast majority reported having read the NCTM standards. Seventy percent of the teachers even claimed to be implementing such ideas in the very lesson that we videotaped. It may be that teachers have changed some features of their instruction and have adopted such reforms as using real-world problems, manipulatives, or cooperative learning. But our data suggest that these changes have not affected the deeper cultural scripts from which teachers work.¹⁰ U.S. teachers are still emphasizing the acquisition and application of skills.

Beware of Simple Solutions

Given the high mathematics achievement of Japanese students,¹¹ it is tempting to conclude that U.S. teachers should teach more like their Japanese counterparts. Although there are probably many useful ideas for U.S. classrooms in the Japanese videos, we are pessimistic that such ideas can simply be imported. Indeed, if teaching could be changed by just disseminating ideas, the record of reform in the U.S. would be more successful than it is. The data on how teachers view reform, presented above, are quite sobering in this regard.

Besides the ineffectiveness of just disseminating prescriptions, systems of teaching are not easily transported from one culture into another. Teaching, as a cultural activity, fits within a variety of social, economic, and political forces in our society. The effects of teaching are determined, in part, by all of these forces. Thus if one imports a system of teaching into a different culture, one cannot expect that system to produce the same results. The Japanese system of teaching is enmeshed within Japanese culture — the social and behavioral norms; the expectations and involvement of parents; the national curriculum; outside educational activities such as *juku* (so-called cram schools); values of education held by students, parents, and the public; and so on. All these factors no doubt play important roles in supporting the kind of teaching we see on the Japanese videotapes.

An additional problem with simple solutions for improving teaching is that they often focus on individual features of teaching, such as using concrete materials, asking higher-order questions, or forming cooperative groups. But teaching is not just a collection of individual features. It is a system composed of tightly connected elements. And the system is rooted in deep-seated beliefs about the nature of the subject, the way students learn, and the role of the teacher. Attempts to change individual features are likely to have little effect on the overall system. The changes often get swallowed up or reshaped.

If we cannot improve teaching by importing another system or by manipulating individual features, what can we do? A recently popular approach is to create content and performance standards and then hold teachers accountable for achieving them. Although we firmly believe that such standards are necessary, a focus on standards and accountability that ignores the processes of teaching and learning in classrooms will not provide the direction that teachers need in their quest to improve.

Another common American approach is to ask experts to meet and discuss the problem and issue written documents to guide a reform. Reforms are needed, presumably, because past policies have failed. The experts decide that we need to break with current practice and try something new. Current documents contain recommendations for such things as how schools should be structured, how market forces should drive improvements, and how technology should change the classroom. This approach, too, is problematic because it assumes that these changes will automatically improve the quality of teaching.

Improving Classroom Teaching

What we need to improve teaching over time is an approach that recognizes that teaching can be studied and improved but at the same time acknowledges the cultural complexity and embeddedness of teaching. How can we break out of our conventional approaches and imagine more productive alternatives? Comparative studies are especially helpful here, and this is where we can learn something from the Japanese.

The approach to improving teaching used in Japan is not based on distributing written reports, or on reforming features

of instruction, or on assuming that teaching will change when surrounding elements change. It is based on the direct study of teaching, with the goal of steady improvement in the mathematics learning of students.¹²

The process of professional teacher development in Japan begins with clearly stated goals for student learning. Japanese mathematics teachers are very familiar with the widely shared goals for student learning at each grade level. The documents that present these goals are similar to the content standards that have received so much attention in the U.S. in recent years. To the extent that American teachers share these goals and understand their meaning and intent, these standards can set the stage for improving teaching. Unfortunately, the reading of the standards documents is often the end of the process in the U.S.; in Japan, becoming familiar with the learning goals is only the beginning.

During their careers, Japanese teachers engage in a relentless, continuous process of improving their lessons to improve students' opportunities to achieve the learning goals. A key part of this process is their participation in "lesson study groups." Small groups of teachers meet regularly, once a week for about an hour, to plan, implement, evaluate, and revise lessons collaboratively. Many groups focus on only a few lessons over the course of the year with the aim of perfecting these.¹³

A group of fourth-grade teachers, for example, might be dissatisfied with its current lessons on adding fractions with unlike denominators. So this study group sets the goal of replacing these lessons. The group designs several lessons, one group member tries them out while the others observe and evaluate what is effective and what is not, and they revise the lessons. Maybe they change the wording of the opening problem, or maybe they change the kinds of follow-up questions they ask, or maybe they learn more about what methods students are likely to invent and then build these methods into the whole-class discussion. Then they try out the lessons again, perhaps with other teachers observing. This process may go on for several years. When the replacement lessons are ready, they are shared with other teachers, in other schools. Through the lesson study groups, teachers improve their own pedagogy and they improve the curriculum. More than that, they improve the collective practice of

teaching as they share their work with others.

The belief that drives these lesson study groups is that students' opportunities to learn will improve with better lessons and that better lessons come through collaborative planning and testing. Japanese teachers assume that this task is so big that every teacher must be involved: the wisdom and experience of all teachers are needed to make progress. Further, they assume that improvement will come through a steady, gradual, cumulative process. As they learn from their experiences and pool their information, they will become more highly skilled teachers who have access to increasingly more effective lessons. By focusing on lessons, the Japanese teacher development system formulates and assesses new ideas in the same context in which these ideas will be applied. In this way, the Japanese lesson study group respects the cultural complexity of teaching, focusing on contexts in which all relevant parts of the system of instruction are naturally incorporated.

The True Profession of Teaching

The Japanese approach to teacher development stands in stark contrast to the American approach. Our biggest long-term problem is not how we teach now but that we have no way of getting better. We have no mechanism built into the teaching profession that allows us to improve gradually over time. We have reports of individual teachers who, through heroic efforts of their own, become unusually effective. But these are individuals, not large numbers of teachers, and, sadder still, we have no way of learning from their experiences. Indeed, we have no way of harvesting the best ideas of the thousands of teachers who work, by themselves, to improve their own teaching.

There are many reasons for the absence of a systemic approach to teacher development in the U.S. For example, Americans hold the notion that good teaching comes through artful and spontaneous interactions with students during lessons. This kind of on-the-fly decision making is made possible by the innate intuitions of "natural" teachers. Such views minimize the importance of planning increasingly effective lessons and lend credence to the folk belief that good teachers are born, not made. If we really believe this, it is no wonder that teacher development is not a high priority. Unfortunately, it is not just one

belief, but an entire cluster of beliefs, some of them contradictory, that dampen our commitment to improving teaching. Beliefs about teacher autonomy; about the intractable complexity of teaching, on the one hand, and its common simplicity, on the other; about the unlikelihood that it will ever change, on the one hand, and the persistent optimism of reformers, on the other - all these tenets work against efforts to institute mechanisms for continuous, long-term improvement.

We are not arguing for simply importing the Japanese method of teacher development. Just as the Japanese method of teaching mathematics is embedded in a particular culture, so is the Japanese system of teacher development. However, in both cases, we can study these alternative systems to gain new insights into our own systems, and we can use these insights to challenge the status quo.

We believe that our failure to take teacher development seriously is closely tied to the issue of professionalism. For years, educators have called attention to the relatively low status of teaching and have bemoaned the lack of respect bestowed on teaching by the media and the public. Much rhetoric has been devoted to this issue, as if demanding higher status or labeling teaching a profession would solve the problem. A true profession of teaching will emerge as teachers find ways and are given the opportunities to improve teaching. By improving teaching, we mean a relentless process in which teachers do not just improve their own skills but also contribute to the improvement of Teaching with a capital T. Only when teachers are allowed to see themselves as members of a group, collectively and directly improving their professional practice by improving pedagogy and curricula and by improving students' opportunities to learn, will we be on the road to developing a true profession of teaching. The TIMSS videotape study points us beyond the data, not to a critique of how we currently teach but to a recognition of the need to implement a mechanism whereby we can, over time, improve our teaching.

1. Ronald Gallimore, "Classrooms Are Just Another Cultural Activity," in Deborah L. Speece and Barbara K. Keogh, eds., *Research on Classroom*

Ecologies: Implications for Inclusion of Children with Learning Disabilities (Mahwah, N.J.: Erlbaum, 1996), pp. 229-50; and Roland G. Tharp and Ronald Gallimore, *Rousing Minds to Life: Teaching, Learning, and Schooling in Social Context* (New York: Cambridge University Press, 1988).

2. A number of researchers have pointed out that teachers teach much in the way they were taught. See, for example, Daniel C. Lortie, *Schoolteacher: A Sociological Study* (Chicago: University of Chicago Press, 1975); and Sharon F. Nemser, "Learning to Teach," in Lee Shulman and Gary Sykes, eds., *Handbook of Teaching and Policy* (New York: Longman, 1983), pp. 150-70.

3. A complete description of sampling procedures can be found in James W. Stigler et al., *The TIMSS Videotape Classroom Study: Methods and Findings from an Exploratory Research Project on Eighth-Grade Mathematics Instruction in Germany, Japan, and the United States* (Washington, D.C.: National Center for Education Statistics, 1997).

4. For a full description of videotaping considerations and procedures, see Stigler et al., *op. cit.*

5. *Professional Standards for Teaching Mathematics* (Reston, Va.: National Council of Teachers of Mathematics, 1991).

6. Richard E. Nisbett and Lee Ross, *Human Inference: Strategies and Shortcomings of Social Judgment* (Englewood Cliffs, N.J.: Prentice-Hall, 1980).

7. For a complete report of the 41-country curriculum analysis, see William H. Schmidt et al., *Many Visions, Many Aims: A Cross-National Investigation of Curricular Intentions in School Mathematics* (Boston: Kluwer, 1997).

8. The Math Group was led by Alfred Manaster of the University of California, San Diego. Other members of the group were Phillip Emig, Wallace Etterbeek, and Barbara Wells.

9. A videotape with examples from German, Japanese, and U.S. lessons, together with an accompanying study guide, can be obtained by phoning the National Center for Education Statistics at 202/219-1333 or by sending e-mail to timss@ed.gov.

10. Other studies have also shown that reform recommendations are often implemented in superficial ways. See, for example, the case studies of California teachers conducted by researchers from Michigan State University and reported in a special issue of *Educational Evaluation and Policy Analysis* (Fall 1990).

11. TIMSS achievement results for eighth grade are published in Lois Peak, *Pursuing Excellence: A Study of U.S. Eighth-Grade Mathematics and Science Teaching, Learning, Curriculum, and Achievement in International Context* (Washington, D.C.: Office of Educational Research and Improvement, U.S. Department of Education, 1996).

12. Our description of the Japanese process of improving teaching comes from our conversations with Japanese educators and a number of written sources, including Nobuo K. Shimahara and Akira Sakai, *Learning to Teach in Two Cultures: Japan and the United States* (New York: Garland, 1995); and two special issues of the *Peabody Journal of Education* devoted to Japanese teacher education (Spring and Summer 1993).

13. For more information on lesson study in Japan, see Catherine Lewis and Ineko Tsuchida, "Planned Educational Change in Japan: The Shift to Student-Centered Elementary Science," *Journal of Educational Policy*, in press.

JAMES W. STIGLER is a professor of psychology at the University of California, Los Angeles (e-mail: stigler@psych.ucla.edu). JAMES HIEBERT is a professor of education at the University of Delaware, Newark. The research reported in this article was funded by the National Center for Education Statistics, U.S. Department of Education. The study was conducted in collaboration with Jurgen Baumert and Rainer Lehmann in Germany and Toshio Sawada in Japan. The authors gratefully acknowledge the assistance of Patrick Gonzales, Takako Kawanaka, Steffen Knoll, and Ana Serrano, all of whom functioned as primary researchers on the study, and of Eric Derghazarian, Gundula Huber, Fumiko Ichioka, and Nicole Kersting, among many, many others. The writing of this article was supported, in part, by a grant from the American Federation of Teachers. ■

IDEA Regs



William R. Kincaid
12/18/97 08:44:47 PM

Record Type: Record

To: Michael Cohen/OPD/EOP

cc:

Subject: IDEA regs

I spoke with Tom Hehir today. Here's what I found out about the regs controversy:

1. During the regs drafting process, House GOP staff asked informally to be consulted. Although they were briefed in advance of the release of the NPRM on the volatile discipline issue, ED staff decided not to meet with them more broadly, because they were concerned that if they did it could lead to riders on the appropriations bill. Tom indicated that this was the decision of both Judy and Charlotte.
2. After the NPRM went out, Goodling and Riggs wrote Riley and complained about being shut out, Riley wrote back and encouraged them to comment on the proposed regs and said that Heumann would meet with them. Since then, OSERS staff has met with House GOP staff, walked through the proposal, and have asked for their concerns in writing, which it sounds like they will (reluctantly). Tom said the meetings have gone well.
3. One of the flashpoints is that the legislation required ED to stop doing so much through policy interpretations and to do more through notice and comment regs. When ED issued the NPRM on the new legislation, they also included a number of regs on historic policy interpretations. Hill staff thought this should have been handled separately from the new implementing regs, but ED argues they are more useful to the field if provided together.
4. On discipline, Tom says that the Hill did not question their interpretation when briefed before the NPRM went out, but now that they have heard complaints from the field they are complaining, too. The big issue there is the interpretation that the 10 day grace period during which a student may be suspended without services is limited to 10 cumulative days during the school year, and not 10 consecutive days, which districts are very unhappy about. He thinks we might want to brief the President on the discipline issue before it comes out, because some will treat ED's interpretation as inconsistent with the President's emphasis on safe schools.
5. There are also some smaller substantive issues about whether students must get a new evaluation before they graduate, and having to do with processes districts are required to exhaust in order to evaluate kids.
6. On one of the most controversial issues, that of when the new requirements kick in, Tom says that ED sought a softer phase in than the Hill did, but the statute requires new IEP requirements to kick in for all students (not just those being evaluated/reevaluated) next July, and the Hill stands by that one.
7. Generally, Tom thinks the last thing the Hill will want to do is reopen the statute and risk the wrath of all the parents and advocates. Even if something gets moving on the Hill, he thinks Lott's folks are unlikely to go along.

I would like to get a second opinion on the risk that the Hill GOP will make a big issue of this (probably from Charlotte), but for the moment it doesn't sound to me like something we need to get the President's attention on. Let me know if you disagree.

-- Bill



FAX



U.S. DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

OFFICE OF SPECIAL EDUCATION PROGRAMS

OFFICE OF THE DIRECTOR

FAX No: (202) 260-0416

Phone: (202) 205-5507

Switzer Building - Room 3090

Switzer Building - Room 3086

DATE: 12-18-97

TO

*Bill Kincaid - Ple your compensation
with Tom Hehir*

FROM

Shirley G. Bryant

Number of Pages (NOT including this cover page): 3



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

November 21, 1997

Honorable William F. Goodling
Chairman
Committee on Education and the Workforce
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter regarding your concerns with the manner in which the Notice of Proposed Rulemaking (NPRM) for the Individuals with Disabilities Education Act (IDEA) was developed by the Office of Special Education and Rehabilitative Services (OSERS). I am sending a similar response to Congressman Riggs.

Judith E. Heumann, Assistant Secretary, OSERS, and I highly value the bipartisan negotiation process that took place in developing the authorizing legislation for IDEA, and we want to assure you that we will do whatever is necessary to continue this bipartisan effort in the promulgation of final regulations. To that end, we would welcome your comments on the proposals as they have been initially developed, and we stand ready to provide answers to any questions you might have with regard to those proposals. In addition, your office should feel free to contact Assistant Secretary Heumann if you want a briefing. She can be reached at (202) 205-5465.

We are extremely proud of the work we all did to develop the IDEA Amendments of 1997 and look forward to implementation of this new law.

Yours sincerely,


Richard W. Riley

12/18/97 15:19

260 0416

OSEP-OD

TO

NO. 5942 P. 34

DEC. 4. 1997 1:17PM FROM US ED PUBLIC AFFAIRS EC

legislative process. Nevertheless, our expectations were ignored by your office. With the exception of services to adult prisoners and the 10 day suspension issue, we have not received a single indication of where you intended to regulate, nor the manner in which you intended to do so.

We have been extremely disappointed by the manner in which you have prepared the IDEA NPRM. While we appreciate the speed in which you have prepared this NPRM to facilitate implementation of the final regulations prior to the 1998-1999 school year, we do not view that as an excuse for keeping the proposed regulation's contents secret from us during their development. We fully expect that you will be in regular contact with us during the comment period and regularly appraise us of the progress you are making in preparation of the final regulations, so that we may be fully informed of their likely contents prior to their release.

Sincerely,

Bill Goodling

HILL GOODLING

Chairman, Committee on Education
and the Workforce

Frank Riggs

FRANK RIGGS

Chairman, Subcommittee on Early Childhood,
Youth and Families

Copy To:

Ms. Judith Heumann

Assistant Secretary of Education for

Special Education and Rehabilitation Services

*I hope we can get
these discussions back
on track, in keeping
with the Sign-Around
nature of the IDEA
legislation. Our office
is eager to work with
you. It is as clear
if that is not your
intent! FR*

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Wednesday
October 22, 1997

Federal Register

Part V

Department of Education

34 CFR Parts 300, 301, and 303
Assistance to States for the Education of
Children With Disabilities, Preschool
Grants for Children With Disabilities, and
Early Intervention Program for Infants
and Toddlers With Disabilities; Proposed
Rule

IDEA

Here is the revised draft signing statement for HR5. Please refer to LRM CJB46, as forwarded below, for further information.

DRAFT
May 29, 1997
4:00 PM

STATEMENT BY THE PRESIDENT
ON SIGNING H.R.5,
THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT
AMENDMENTS OF 1997

It is with great pleasure that I sign H.R.5, the Individuals with Disabilities Education Act Amendments of 1997, into law. This legislation reaffirms and strengthens our national commitment to the education of children with disabilities and their families.

Since the enactment of Public Law 94-142 over 20 years ago, the IDEA has made it possible for millions of children with disabilities to receive an education that helped them become productive adults. The bill before me today builds on that success story by--

- putting an even sharper focus on improving educational results for these children through greater access to the general curriculum and inclusion in State and districtwide assessments;
- giving parents more information, including regular reports on their children's progress, and a greater role in decisions affecting their children's education;
- reducing paperwork and increasing administrative flexibility;
- asking schools, teachers, parents, and the children themselves to assume greater responsibility for the success of these children; and
- promoting the use of mediation to resolve disagreements between parents and schools.

This bill also gives school officials the tools they need to ensure that our Nation's schools are safe and conducive to learning for all children, while scrupulously protecting the rights of children with disabilities. And it includes a substantial commitment from the Federal Government to support the professional development of special and regular education teachers who work with these children, research and technological innovations to improve their education, training of parents, and the provision of technical assistance.

This bipartisan legislation is the result of a unique process involving the Congress, the Department of Education, parents, educators, the disability community, and others, and I thank all of you who played a part in this great achievement. Successful implementation of the revised IDEA is the key to the future for children with disabilities and will help become successful and contributing members of their communities.

29. Education Daily

May 16, 1997

SENATE PANEL DISSECTS STUDENT AID DELIVERY SYSTEM

Current problems processing Direct Student Loans (DSL), coupled with last year's student aid application delays, are "warning signs" that the Education Department's aid delivery system might not be reliable, the Senate's chief education policymaker said yesterday.

Sen. Jim Jeffords, R-Vt., questioned the commitment of ED's Office of Postsecondary Education (OPE) to improving the management and technology needed to deliver student aid.

OPE's "response to these realities has yet to convince the community that they can manage [student aid] delivery in a manner that will eliminate the instability and burden caused by recurring system and contract problems," Jeffords said.

David Longanecker, ED's assistant secretary for postsecondary education, defended his agency at the Senate Labor and Human Resources Committee hearing yesterday on the Higher Education Act (HEA). He said the delivery problems are caused by outdated computer systems that weren't designed for the current loan volume.

"We've got the right 'people stuff,'" he said. "What we need is a stronger computer system."

Computer Glitches Galore

Longanecker and Elizabeth Hicks, ED's deputy assistant secretary for student financial assistance, touted department

efforts to develop its Easy Access for Students and Institutions (EASI) project, but were stuck trying to explain current computer problems.

ED moved to a new DSL loan originator in March and has had problems with the transition. Some schools have had trouble getting promissory notes approved, and therefore haven't been able to deliver some loans.

"Loan origination has not gone as smoothly as it should," Longanecker conceded. "We have been concerned about that and are sorry it occurred."

The Electronic Data Systems (EDS) servicing center in Alabama was supposed to be up and running a year ago, but the start date was postponed because of systems problems.

Hicks said the problems were resolved before EDS started handling loans.

Still, ED has sent messages to DSL institutions almost weekly since March urging patience with the transition.

Longanecker added that the target date for new DSL loan servicers has been pushed from July 1 to August because of computer difficulties.

Privatization On The Horizon

Sen. Dan Coats, R-Ind., the only other lawmaker at the hearing, asked the ED officials why many in the higher education community say "dramatic" action is needed to prevent a collapse of ED's student aid delivery systems.

"This is an overstatement," Hicks said. "We're not close to meltdown."

The American Council on Education, the congressionally sanctioned Advisory Committee on Student Financial Assistance and banking and guarantee agency representatives have all hinted that some type of privatization may be the key to fixing the student aid delivery problems (ED, May 1).

"Project EASI was a good start," Barmak Nassirian, assistant director for federal relations for the American Association of State Colleges and Universities, told Jeffords. "But when you have had successive efforts at redesigning [computer systems] and they come up short, at some point, you have to throw up your hands."

Cornelia Blanchette, associate director of education and employment issues for the General Accounting Office, Congress's watchdog agency, added that ED is at the root of the delivery issues. "The problems have to do with the department's internal systems," she said.

The Senate panel hasn't scheduled further HEA hearings for this month. The House postsecondary education subcommittee has scheduled a May 19 HEA field hearing in New Jersey.

Meanwhile, Longanecker said ED's reauthorization proposal will be ready within two months. —Rebecca S. Weiner

30. Education Daily

May 16, 1997

IDEA DISCIPLINE CHANGES TO KICK IN SOON

Major changes in the nation's special education law will take effect as soon as the president signs the legislation, in a ceremony expected by early June.

Schools will immediately have new authority to move dangerous students to alternative placements when H.R. 5, which amends the Individuals with Disabilities Education Act (IDEA),

becomes law.

The House and Senate passed the bipartisan legislation with only four votes against it this week, after more than two years of wrangling (ED, May 15).

Current law generally requires schools to have parents' permission or a court order to move a disabled student for more than 10 days. H.R. 5 will allow alternative placements for up to 45 days

in weapon and drug cases (ED, April 21).

The student's individualized education program (IEP) team will choose the alternative placement, and determine within 10 days if the infraction was a manifestation of his or her disability (ED, April 25).

If the misbehavior was unrelated to the disability, the bill will allow the schools to discipline the child in the same

IDEA

though: If the state truly wants to encourage students without much money, she says, it should stop deducting the value of his or her Pell Grant from the amount a student receives through the HOPE program.

Mr. Mortenson notes that Georgia has cut back its spending on need-based student aid to just 0.5 per cent of its

overall appropriations for higher education. States typically spend about 6 per cent of their higher-education funds on need-based aid, he says.

As it is, a half-dozen other states are eyeing programs like Georgia's. In his attempt to short-circuit such plans, Mr. Mortenson sends his newsletter at no charge to state legislators around the

country.

The stakes are high, he says. If a shortage of need-based aid denies people from lower economic classes the chance to educate themselves, the country's social fabric could unravel as unemployment and crime increase, he says. "We will fly apart if these questions aren't addressed in public policy." ■

28. CongressDaily/A.M.

05/16/97Section: BUDGET;

Lott, Daschle Agree: It's A Deal

Two weeks after he and others initially announced a budget deal, Senate Majority Leader Lott said Thursday night that the final details on the accord had been worked out, a move that will allow the House Budget Committee to mark up its budget resolution today. The Senate panel will mark up its version Monday. "Yes, we have an agreement," Lott told reporters. "We're not going to go through it again. We're going to go to the Budget Committee." Lott said that White House staff and GOP staff were reviewing the final language and "scrubbing" the numbers. He said the deal will result in a budget surplus of about \$1 billion in 2002.

As part of the deal, Lott and House Speaker Gingrich signed a tax cut letter to President Clinton outlining the general parameters of the tax cut proposal, including capital gains tax reduction, estate tax relief, the \$500 per child tax credit, and expansion of individual retirement accounts. It also commits the leadership to include tax relief of "roughly \$35 billion" for postsecondary education costs and states that the bill might include other tax proposals. "In this context, it should be noted that the tax-writing committees will be required to balance the interests and desires of many parties in crafting tax legislation

within the context of the net reduction goals which have been adopted, while at the same time protecting the interests of taxpayers generally," the letter said.

Lott and others said the markup schedule will still allow the House and Senate to complete action on the budget resolution before the Memorial Day recess.

"There's no question we can," Senate Budget Chairman Domenici said, adding that if it is a bipartisan agreement, the markup and conference committee meetings should proceed quickly.

Lott's announcement came after a day-long meeting in Gingrich's office, a session that caused postponement of a budget markup several times Thursday.

Republicans said the major problem was that the White House was trying to change some things in the addendum that will be attached to the deal.

"They were continuing to try to get us to put some things in there that weren't in there," Lott told reporters.

Domenici said the White House version did not reflect what Republicans thought might be in the accord.

Senate Budget ranking member Frank Lautenberg, D-N.J., said both Democrats and Republicans had different views on what was agreed upon in the budget deal, and found discrepancies between what

they thought was agreed upon and what was in draft versions of the addendum.

He said Republican congressional leaders and White House officials needed additional meetings to hammer out the exact wording of the document, saying that "slippage" involved what either side understood was in the agreement.

Lott said he and Minority Leader Daschle would sign the agreement.

The remaining question is whether House Minority Leader Gephardt, who has reserved judgment on the accord, would sign it.

Gephardt was being briefed on the plan late Thursday.

Lott said negotiators had settled a potential problem over reconciliation bills.

Republicans had expressed concern that if one reconciliation bill reformed entitlement programs and the other provided a tax cut, the tax bill would be subject to the so-called Byrd Rule, which allows a point of order to be raised against reconciliation legislation if it increases the deficit.

Lott said the negotiators had reached agreement on "some language" that would result in the Byrd Rule not applying to the tax bill.

Settling that issue will allow Congress to consider two reconciliation bills. ■

fashion it punishes others, as long as it does not cease education services.

The bill also will grant hearing officers immediate authority to order placement changes, again for a maximum of 45 days, when schools prove "beyond a preponderance of the evidence" that the student poses a danger to himself or others (ED, May 9).

Formula Hard To Predict

In contrast, a new census-and-poverty formula for IDEA state grants for services to children ages three to 21 will apply only to federal funding exceeding \$4.924 billion. Current funding is nearly \$3.47 billion (ED, May 15).

But when spending hits \$4.1 billion, the new law will allow districts to cut back on their special education funding by up to 20 percent of that year's rise in their federal grant (ED, April 30).

Several GOP senators have been pushing a proposal to make special education funding surge by \$10 billion over the next seven years (ED, Jan. 23).

Test Date: July 1, 1998

The measure will require that disabled students be included in state- and district-wide assessments starting July 1, 1998, and with needed accommodations by July 1, 2000 (ED, April 28).

"I'm not sure the people who wrote the bill understand it's very difficult to develop those assessments," said Myrna Mandlawitz, government relations director for the National Association of State Directors of Special Education.

"The timeline may prove very tight for some states, especially those who haven't already started down this road," she said.

But the National Center on Educational Outcomes said last year that most disabled students should be able to take a regular assessment with accommodations (ED, Dec. 4, 1996).

A new requirement that states develop performance goals and indicators for disabled students also will not take effect until July 1, 1998.

That will also be the effective date for.

- * New rules for IEPs, such as adding regular education teachers to IEP teams, writing transition statements about the child's academic program at age 14, instead of 16, and showing how the school provides access to the general education curriculum (ED, March 25); and

- * A requirement that states collect and examine data about racial disparities in identification and placement of kids in special education.

The bill will require states to address racial problems in their special education systems. If they discover a "significant disproportionality" of minority students identified as disabled, the bill will require them to review and, if appropriate, to revise their identification procedures.

Early Intervention, Other Grants

The early intervention program for disabled infants and toddlers and IDEA's competitive grant programs will be reauthorized in time to receive funding for fiscal 1998, which starts Oct. 1.

ED will have until Jan. 1 to establish a "standing panel of experts" to evaluate discretionary grant applications requesting more than \$75,000 annually.

Those grants will fall under six new categories: state program improvements; research and innovation; personnel preparation; parent training, clearinghouses and regional resource centers; and technology development, and other "studies and technical assistance."

IDEA now has 14 discretionary grant categories, but the group that wrote the new law—composed of congressional staff and the Clinton administration—combined them under a new Title D. —William J. Cahir ■

LOCAL

31. Sacramento Bee

May 16, 1997

School is teaching witchcraft, critics say

By Edgar Sanchez Bee Staff Writer

An experiment with the Waldorf teaching method at Oak Ridge Elementary School in Sacramento has come under fire from critics who claim the public school's program is emphasizing witchcraft instead of basic skills.

About 20 angry parents and concerned citizens picketed the Oak Park school Thursday, demanding that it revert to a traditional learning system.

Of the school's 26 teachers, 11 are expected to transfer to other campuses next fall. Some of them have been asked to leave because they don't want to take the Waldorf training and some because they don't agree with the Waldorf philosophy, officials in the Sacramento City Unified School District said.

The pickets petitioned the district to end Waldorf at Oak Ridge, and to fire principal Irma Jue and the school's Waldorf resource teacher. Jue was unavailable for comment Thursday.

But district officials defended the Waldorf system and said no one will be dismissed.

Myths, fables and the study of ancient civilizations such as the Aztecs are part of the curriculum, which is why some parents may have reached erroneous conclusions, one district official said.

"Civilizations such as the Aztecs worshiped the sun," but no one is being taught to idolize the bright star, said Sue Norwood, district spokeswoman.

The new teaching method formally was launched at Oak Ridge Elementary

in September and all 630 students are getting some aspects of the Waldorf learning system.

The innovative concept in education was developed by philosopher Rudolf Steiner in 1919 in Germany. His creative approach to learning emphasizes movement, craft, song and storytelling.

On the Oak Ridge picket line, however, parents bearing the U.S. flag and various anti-Waldorf signs blasted the program's results.

Under Waldorf, "the teaching methods are very slow," said Tina Means, a parent protester. "My son, a third-grader, is going into the fourth grade barely able to read."

Means, 24, said her son has an attention-deficit disorder, "but he was

always able to learn" when Oak Ridge had a traditional curriculum.

Picket Terri Jennings said her two older children graduated from Oak Ridge several years ago with a good grasp of basic skills. But current students, including her first-grade daughter, are not absorbing "the basic skills needed for life," Jennings said.

"Instead, they are being taught that the sun is God," she said.

Marjie Espinoza said she walked the picket line to stand up for five nieces and nephews who attend the school. They and their classmates are being taught satanic beliefs and witchcraft, she said.

"One of the teachers who is against Waldorf showed me some lesson plans," Espinoza said. "To me, they were like satanic, witchcraft."

Katherine Lehman, the resource teacher who helped implement the school's Waldorf program, denied that

witchcraft or other "pagan" beliefs are being taught.

"I think it's ridiculous," she said. "Anyone can come in and watch what we're doing in our school."

It's a very rigorous program, academically structured."

Although Oak Ridge is the city's only public school with a Waldorf curriculum, "this program has been going on worldwide for 75 years," she said.

At Oak Ridge, the program is being bankrolled this year by a \$253,000 federal grant. Funding in the 1995-96 school year totaled \$238,000, much of it used to begin training the school's faculty in the Waldorf approach.

Several pickets said they were "in the dark" as to what was happening at Oak Ridge until PLANS — People for Legal and Non-Sectarian Groups — began distributing leaflets outside the school.

PLANS, based in the Bay Area, claims the Waldorf program is part of a "cult."

District officials said PLANS has used rumors and other tactics in an unsuccessful effort to end Waldorf programs across the state. PLANS officials could not be reached for comment.

The Waldorf program, initiated by a previous school board, has enjoyed some good successes at Oak Ridge, said Jay Schenirer, the board's new president.

"Before we judge the outcome of this, we must make sure that everyone has visited the classrooms and seen what's going on. Then we can talk about it some more," he said.

"But I'm convinced there is a problem if you have some parents who are upset," Schenirer said. "We need to work with them toward a solution." ■

32. Chicago Tribune

May 16, 1997

Teacher disciplined after showing R-movie to class

By Michael Martinez

TRIBUNE EDUCATION WRITER

Web-posted: Thursday, May 15, 1997 11:11 pm CST

A computer teacher at Smyth Elementary School on Chicago's West Side was reassigned to a desk job Thursday after allegedly showing the R-rated movie "Striptease" to 20 pupils in the 3rd or 4th grade, school officials said.

The 55-year-old male teacher, whose name was not released, was allegedly showing the video to his computer class about noon Wednesday when a parent walked by the room and saw nudity on a television screen, said Blondean Davis, deputy education officer.

The parent informed the principal, who went to the classroom and found the video in a VCR, Davis said. The teacher was removed from the classroom, and the principal called the police, the Illinois Department of Children and Family Services and the school system's central office, Davis said.

The teacher was later served notice to start reporting to the school system's central office effective Thursday, Davis said.

"The principal went in and took the tape directly out of the recorder," Davis said. "(The teacher) didn't offer an excuse or an explanation."

The 1996 movie "Striptease" features actress Demi Moore portraying a mother in a child-custody battle who becomes a stripper to help pay her legal bills. The film contains graphic scenes of Moore exposing her breasts while dancing on stage in a strip joint and includes a scene where her daughter is secretly watching.

"This is horrendous," Davis said. "The only thing we ever had is, let's say, someone who shows a Civil War movie and they say or do something in the Civil War that may be questionable."

The teacher, who has been employed by the Chicago Public Schools since September 1994, has been reassigned to the board's office on Pershing Road pending the outcome of an investigation, Davis said.

The 20 pupils who saw the film talked openly of the graphic scenes in the movie

with a psychologist and nurse who were sent to counsel them at the school, at 1059 W. 13th St., Davis said.

"The kids have shared the details with the psychologist," Davis said. "The main thing is that they know this is inappropriate and that adults do things that are inappropriate and it doesn't make it right if an adult does it. They're doing fine."

School board investigators will question other pupils assigned to the teacher's computer class to see if the teacher had shown them the movie as well, Davis said.

The teacher is accused of violating board policy by not securing the principal's approval to show audio-visual material, displaying unprofessional conduct and showing material that was not in correlation with the curriculum, Davis said.

"I don't know if that's enough for dismissal," Davis said. "It depends on the law department's review." ■

16. Education Week

May 20, 1997

House, Senate Easily Approve Spec. Ed. Bill

By Joetta L. Sack
Washington

Even as changes in the nation's main special education law headed to President Clinton last week, some educators worried that the bill was too watered down to resolve difficult discipline problems.

Groups representing principals and teachers complained that the legislation does not go far enough in allowing administrators to remove violent and disruptive disabled children from classrooms.

What's more, they said, a last-minute change may have further weakened administrators' powers.

"The legislation offers no language to let schools immediately remove a seriously disruptive student who is disabled," said Sandra Feldman, the president of the American Federation of Teachers.

Several groups predicted that the discipline issue would have to be revisited soon.

Other educators and advocates for the disabled, meanwhile, hailed the changes to the Individuals with Disabilities in Education Act, which has long been the focus of debate and emotion.

"I can feel the tension oozing out of me," said Joe Ballard, the policy director for the Council for Exceptional Children. "This is a remarkable achievement."

Clinton Pleased

Last week's quick passage of identical bills in the House and the Senate to reauthorize the 1975 law came after months of debate and late-night meetings and compromises. Congressional aides had spent two months rewriting the bill to find a compromise acceptable to all sides. ("IDEA Reauthorization Speeds Through Committees," May 14, 1997.)

The House voted overwhelmingly, 420-3, to pass its bill without any additional amendments. But the Senate first debated several contentious issues, including proposed broader powers for educators to discipline disabled students and limits on federal funding for special education, before passing the bill 98-1.

President Clinton said he was pleased with the final bill and looked forward to signing it into law.

"It strikes the appropriate balance and serves the needs of disabled and nondisabled students," said Judith E. Heumann, the Department of Education's assistant secretary for special education and rehabilitative services.

The bill would give administrators more power to suspend violent disabled students for up to 10 days, or up to 45 days for violations involving weapons, drugs, or controlled substances.

A hearing officer could order a change in educational placement for up to 45 days if a student is deemed to be harmful to himself or herself, or to others. It would allow students who are disciplined for offenses unrelated to their disabilities to receive the same punishment as nondisabled students, except that their education services could not be cut off.

And, in a provision designed to cut down on costly legal battles between parents and school districts, the bill would require states to set up voluntary mediation systems to handle disputes over special education.

Not Enough?

Despite those changes, administrators still need greater power to remove students who endanger school employees or other students, said Stephen R. Yurik, the general counsel for the National Association of Secondary School Principals. Just because a student is not carrying a weapon does not mean he or she may not be dangerous, he said.

The legislation "makes a step forward," Mr. Yurik added. "But we're concerned that it really didn't address the issue that it needed to."

What has some administrators worried is a last-minute technical amendment passed in the House and Senate education committees. It would require that a school prove beyond a "preponderance of evidence" to a special education hearing officer that a student could injure himself, other students, or school officials before suspending the child for more than 10 days.

Sally McConnell, the legislative director for the National Association of Elementary School Principals, said the requirement could hold schools to an unduly high legal standard and hinder their ability to remove violent students.

John Richardson, the principal of Sunnyslope Elementary School in Port Orchard, Wash., said the bill would not adequately protect other students, including other disabled students, who are often the ones harmed by violently disruptive disabled peers.

"We still have our hands tied," he said. "One of the things we need help with is this behavior that is so disruptive, and I don't think the bill adequately deals with that."

But Stevan Kukic, Utah's special education director, said the changes might not have such a dramatic effect. "This is really a pretty good compromise" between parents' concerns and those of schools, he said.

Healing Old Wounds

Healing past wounds between parents and school officials is another hurdle in the IDEA's future, said Michael Resnick, the associate executive director of the National School Boards Association.

"Attorneys will have to recognize that the world has changed and that the mediation process is beneficial," he said. "Unfortunately, [the IDEA] has become a first resort to go to lawyers and litigate."

Sen. Judd Gregg, R-N.H., introduced but later withdrew an amendment that would have mandated increasing IDEA appropriations by about \$1 billion each year until the federal government pays 40 percent of the share of state's special education costs, as many believe the original law intended.

Districts do need more federal money to set up alternative programs for violent disabled students, Mr. Kukic, the Utah official, said.

The reauthorization would effectively quell high-profile battles with the education departments in two states, California and Virginia. In each case, the department threatened to withhold the state's IDEA allocation because the state was deemed to be violating the special education law.

California would win its battle over its refusal to provide special education services to inmates incarcerated in adult correctional facilities for violent crimes.

The bill would not require states to provide services to inmates who were not

previously identified as disabled. And it would allow states to hand over authority for inmate education services to the correctional agency. ("Issue of Spec. Ed. in Prisons Pits Calif., ED," April 30, 1997.)

But Virginia would see its victory earlier this year in the U.S. Court of Appeals for the 4th Circuit stripped away. In *Virginia v. Riley*, the state convinced the court that the IDEA did

not bar states from halting educational services to disabled students who have been expelled from school for crimes involving weapons or drugs. ("Court Rejects ED Stance in Spec. Ed. Discipline Case," Feb. 12, 1997.)

Gov. George Allen, a Republican, was quick to voice his displeasure.

"Once it has been determined that the misconduct is unrelated to the disability, it is absolutely ludicrous to mandate that

Virginia and its localities cannot discipline a student with disabilities in the same manner as a student without disabilities," he said in a statement. "A learning disability or hearing impairment is not an excuse for beating up a teacher, selling drugs, or carrying a gun in school."

Staff Writer Jessica L. Sandham contributed to this report. ■

17. CongressDaily/A.M.

05/20/97Section: BUDGET;

Budget Deal Clears Two More Hurdles

The bipartisan budget agreement survived two more legislative hurdles Monday night, as the House Rules Committee sent the measure to the floor and the Senate Budget Committee fought off several attempts to alter the deal and finally approved it intact. The Senate panel approved the budget resolution 17-4, after approving several Sense of the Senate amendments. Voting against the deal were Republican Sens. Phil Gramm of Texas and Rod Grams of Minnesota and Democratic Sens. Ernest Hollings of South Carolina and Paul Sarbanes of Maryland.

The budget resolution is likely to go to the floor in both chambers today, with Senate leaders attempting to limit debate to 15 hours. A key Senate Republican aide said Monday night that if the resolutions remain unchanged from the way they were approved by the House and Senate budget panels, there may be no need for a House-Senate conference committee.

Opening the discussion Monday, Senate Budget Chairman Domenici told senators the agreement is "not a Republican budget. It is not a Democrat budget. It is not a presidential budget." Domenici said the deal represents a response to voters who called on both parties to work together. Budget panel ranking member Frank Lautenberg, D-N.J., said, "While no one should see this as a perfect agreement, everyone should see it as a good agreement." However, Hollings said the resolution is not balanced, since it uses Social Security and other pension trust funds to help balance the budget. The panel defeated on voice vote a Hollings plan to eliminate spending increases and tax cuts in an attempt to balance the budget

without use of the trust funds.

Grams said he would oppose the resolution for other reasons, saying that the size of the federal government will not shrink, that Medicare will not be reformed and that the tax cut is not large enough.

However, Sarbanes said it is "irresponsible" to have any tax cut before the budget is balanced.

The committee approved, 17-4, an amendment by Sen. Kent Conrad, D-N.D., to direct the Senate and president to continue work on entitlement reform and to find an accurate Consumer Price Index measurement.

The panel also defeated a plan by Sen. Ron Wyden, D-Ore., to allow defense cuts to be used for domestic spending and to decrease defense spending.

And the committee rejected, 11-10, a Sense of the Senate amendment by Sen. Patty Murray, D-Wash., to ensure that early childhood education be adequately funded.

Lautenberg, who was one of the budget negotiators, voted against the amendment.

The committee also defeated a proposal by Sen. Don Nickles, R-Okla., to ensure that the children's health initiative be a discretionary, not a mandatory program.

Domenici said that program was vital to the budget deal.

On the House side, five substitute budget resolutions, including substitutes fashioned by the Congressional Black Caucus, the House Conservative Action Team and House Transportation and Infrastructure Chairman Shuster, will be debated on the floor today under the rule adopted Monday night.

The rule calls for five hours of general

debate to be divided equally between House Budget Chairman Kasich and ranking member John Spratt, D-S.C., plus an additional 20 minutes to be controlled by Rep. David Minge, D-Minn., to discuss the concerns of conservative House Democrats known as the "Blue Dogs" that the budget resolution contain some mechanism to ensure the budget is balanced by 2002 and beyond.

Minge had offered a substitute amendment at Monday's Rules Committee meeting that tacked enforcement mechanisms onto the resolution reported out of the budget committee last week, but it was not ruled in order.

Of the five hours of general debate provided for in the rule, one hour is to be devoted to the subject of economic goals and policies.

In addition, of the two-and-a-half hours allotted to Spratt, he will only take one and intends to make the remaining time available to House Minority Leader Gephardt to express another Democratic viewpoint on the budget.

Gephardt is expected to use the time to make his first public statements on the budget resolution.

All of the substitutes would balance the budget by 2002.

The Congressional Black Caucus substitute would do so without tax cuts or Medicaid cuts, reduce defense spending by \$189.9 billion, and produce \$25.5 billion in Medicare savings.

The CATs substitute would reduce nondefense discretionary spending by \$109.3 billion over the amount called for in the budget resolution and would use that money to provide another \$109.3 billion in tax cuts, in addition to the

Question: **National Test/Students with Disabilities.** What are you doing to support participation of students with disabilities in the 4th and 8th grade assessments you are developing?

Answer: We must expect more of all our children, including those with disabilities. The Department of Education, which is working with education experts to help develop the tests, will make the 4th grade reading and 8th grade math tests available to states and schools in formats accessible to students with disabilities. In addition, schools will be able to get technical assistance and other support to help ensure that students with disabilities are appropriately included.

Question: **IDEA and Discipline.** I am concerned about keeping our schools safe and disciplined. I understand that the new special education law (IDEA) just passed by Congress still makes it difficult to discipline disruptive students who are disabled. How can the other students learn if teachers can't maintain order?

Answer: First, let me point out that the federal special education law, first passed in the 1970's, has been essential for providing education opportunities for children with disabilities. Before that law was passed, many children with disabilities were denied an education. Since the law was passed, educational opportunities for children with disabilities have increased dramatically, because the law guarantees an education to these children. This is a good thing, because the education of every child is important, because education is the way for all of our people to become productive and independent citizens. I am proud to be able to sign, next month, the bill continuing this law in effect.

Second, I agree that it is very important for all children that classrooms be orderly places where children can learn and teachers can teach. While maintaining the responsibility to provide children with disabilities with a free and appropriate education, this new bill strengthens the ability of teachers and principals to deal with disruptive or dangerous students, including those with disabilities. It does this by:

- making it easier for principals to remove from the classroom children with disabilities who bring a gun, weapon or drugs to school, or who pose a danger to themselves, their teachers or their classmates, while continuing to provide them with an education in another setting.

- making it easier to address a child's behavior problems early on -- before they get out of hand -- by requiring that these be considered in the development of an Individual Education Plan, and by making the regular classroom teacher a part of the team that develops the plan.

Finding the right balance between the protection of individual students and the needs of a larger group is often difficult. I am pleased that the Congress, with an overwhelming bipartisan majority, has found a way to strike that balance.

IDEA: Virginia Decision
White House briefing
Monday, March 3, 1997
9:30 - 10:30 am

AGENDA

I. IDEA reauthorization overview

legislative timeline

Hoppe process

Charlotte Fraas

Judith E. Heumann

II. Virginia decision

Summary and recommendations

Administration's bill

Suzanne Sheridan

III. Discussion

CESSATION OF SERVICES FOR DISABLED STUDENTS UNDER THE IDEA

Not "unfair treatment"

- Students with disabilities are not exempt from discipline. States and localities may discipline children with disabilities for behavior not related to their disabilities, including, when they think it appropriate, expelling them from their schools, as long as they ensure that educational services continue to those students in some other setting.
- Students with disabilities are treated differently than other students under the IDEA in a number of areas -- for example, they are entitled to individualized education plans, their parents have rights under Federal law to participate in educational decisions about their child, and to due process systems, not available to nondisabled students to ensure that they receive the services and placement that the statute guarantees them. Treating children with disabilities differently from nondisabled students is not "unfair treatment;" rather, it ensures that these students get an education comparable to their peers in light of their special needs and helps ensure that they are afforded "equal protection of the law" under the Fourteenth Amendment.
- Before the IDEA, millions of children with disabilities were either entirely excluded from education or receiving seriously inadequate services. Often, these exclusions were based on school authorities' perceptions of disabled students' misconduct or other behaviors. If school authorities may "wash their hands" of responsibility for educating disabled students (who generally are more difficult and costly to serve) for disciplinary reasons, discipline could easily return as a convenient excuse for getting rid of disabled students.
- The cost to society of ceasing educational services to disabled children is very high. The evidence is that a long-term interruption of education for students with disabilities, even more so than for nondisabled children, typically results in significant educational regression, increased dependency that is usually lifelong, and even increased criminal arrests.
- The President and the Secretary have made it very clear that they believe that every child should be educated. To cease providing educational services to any child is the wrong decision in the short term, and has significant long-term costs in terms of increased crime, dependency on public assistance, illiteracy, unemployability, and alienation from society. No child is a "throw away" child. We cannot afford to waste a single one.
- The U.S. Department of Justice reports that over 50 percent of juvenile crime occurs in the few hours between when school lets out for the day and when

parents return home from work. This is powerful evidence that society reaps a bitter crop when children are unsupervised by adults, and unoccupied by meaningful activities like school. In fact, earlier this month, the Chief of Police for Buffalo, New York testified before the House IDEA subcommittee that cutting school services to disabled students for their misbehavior would increase juvenile crime.

Not an "unfunded mandate"

- The IDEA's requirement to continue to provide appropriate educational services to students who are disciplined for behavior that is not related to their disability is not an "unfunded mandate." The IDEA is a Federal grant statute under which States voluntarily and with their eyes open accept Federal money in exchange for an agreement to meet specific conditions that are known to them when they apply, and that may be in addition to what State law requires. The clear, statutory requirement to make appropriate educational services available to all students with disabilities, without exception, is the single most important condition of participation.
- States may choose not to participate in the IDEA program, and if they elect not to participate, they would not have to provide educational services to students with disabilities who are disciplined for behavior that is not related to their disabilities if they do not provide those services to nondisabled students. One State, New Mexico, actually chose not to join the IDEA program for a number of years back in the 1970's.
- The IDEA is not itself an "unfunded mandate" even though some complain that the Federal government has not assumed the maximum portion of the costs of educating children with disabilities allowed under the Act. Under the Constitution, the primary responsibility for providing and paying for the services that are guaranteed by the IDEA lies with the States, as it does for nondisabled children. Before the IDEA, however, many States were not living up to this responsibility -- out of a total of about eight million disabled students in the country, more than one million were entirely excluded from public education, and at least another four million were receiving inadequate services that did not give them educational opportunity equal to that available to their nondisabled peers. IDEA funds generally are available to assist the States in providing equal educational opportunities to disabled children -- a responsibility they would have even if they did not receive IDEA funds.

LEGISLATIVE UPDATE: Recent or Upcoming Action

*Omnibus Education S. 1: The GOP bill would allow states to use existing Title VI funds for block grants for public and private school choice, raise special education funding starting with a \$1 billion hike next year, and authorize a school choice demonstration program for low-income families. The bill's student aid provisions include a tax exemption of \$1,000 annually per child in savings (ED, Jan. 23). S. 12: The Democrats' bill would require the government to pay up to half of the interest on school construction bonds and authorize \$1.75 billion for reading programs and \$1.8 billion for school technology over the next five years.

Last action: President Clinton and Congress agreed this month to make education one of their top priorities. Senate Republicans say they want to focus on raises for special education and Pell Grants, school choice, and school technology (ED, Feb. 14).

Next action: The House Oversight and Investigations Subcommittee plans a hearing March 3 in Delaware, Md., to review federal education programs. The House Education and the Workforce Committee plans a hearing on Clinton's agenda March 5. A Senate GOP task force wants to meet with Education Secretary Richard Riley the second week of March.

*Fiscal 1998 Appropriations President Clinton's proposal would raise Education Department discretionary spending 11 percent above the fiscal 1997 level, with Title I, special education and vocational education getting only moderate increases and Title VI block grants slated for elimination. But Goals 2000 would rise 26 percent, to \$620 million; charter school funding would almost double, to \$100 million; and the maximum Pell Grant would rise from \$2,700 to \$3,000.

Clinton also wants mandatory funding of \$5 billion to help pay interest on school construction funding and \$260 million for programs to help children read independently by fourth grade (ED, Feb. 7).

Last action: GOP members of the Senate Budget Committee have criticized Clinton's focus on school construction, literacy and student aid tax breaks (ED, Feb. 6).

Next action: The House Labor, Health

and Human Services, and Education Appropriations Subcommittee is scheduled to hear from the education secretary and his top officials March 11-13.

*IDEA Reauthorization H.R. 5: Would phase in, over 10 years, a new funding formula for state grants under the Individuals with Disabilities Education Act (IDEA) based on child population and poverty figures. The bill also would give schools greater authority to expel disabled students who misbehave, or to place them in an alternative setting for up to 45 days (ED, Jan. 9). S. 216: Would allow schools to place in alternative settings for 35 days disabled students who bring weapons to school, violate anti-drug policies or inflict serious injury on others. Also, it would let schools stop serving disabled students for the same types of offenses others are expelled.

Last action: House and Senate negotiators met in closed meetings last Thursday and Friday on IDEA.

Next action: The House Education and the Workforce Committee is expected to vote on its IDEA bill in March. The Senate Labor and Human Resources Committee hasn't scheduled further action on IDEA.

*HEA Reauthorization H. R. 6: The bill would authorize funds for all existing Higher Education Act (HEA) programs, which expire Sept. 30.

After the House writes new legislation for student aid and other programs under HEA, it will be substituted into H.R. 6.

Last action: The Senate Labor and Human Resources Committee held an HEA hearing in Vermont on Feb. 3.

Next action: The Senate committee plans a hearing Thursday.

A House oversight panel expects to hold hearings on ED's student aid management this spring (ED, Feb. 21).

*Juvenile Justice The Juvenile Justice and Delinquency Prevention Act is up for reauthorization this year, and President Clinton and Congress have made it one of their top five priorities (ED, Feb. 3). Clinton wants the law to help keep schools open after hours and during vacations, and he is seeking \$60 million for 1,000 after-school programs, and \$75 million for anti-truancy, school violence and crime intervention.

Last action: The House Early Childhood, Youth and Families Subcommittee held a hearing Thursday in Windsor, Calif.

Next action: The House panel plans a hearing Wednesday in Washington, D.C. No Senate action has been scheduled.

Just introduced . . .

*School Prayer S. J. Res. 15: Would amend the Constitution to say it neither prohibits nor requires public school prayer. H.J. Res. 55: Would amend the Constitution to allow voluntary prayer in any public school program or activity.

Last action: S. J. Res. 15 was introduced Feb. 6 by Sen.

Robert Byrd, D-W. Va.; referred to the Senate Judiciary Committee. H.J. Res. 55 was introduced Feb. 13 by Cliff Stearns, R-Fla.; referred to the House Judiciary Committee.

Next action: No action is scheduled.

*School Bus Drivers H.R. 605: Would overturn an Internal Revenue Service decision set to take effect Sept. 1 that certain independent school bus contractors are considered employees under tax law.

Last action: Introduced Feb. 5 by Rep. Wayne Gilchrest, R- Md.; referred to the Senate Ways and Means Committee.

Next action: No action is scheduled.

*English as Official Language S. 323: Would declare English the official language of the U.S. government but would not affect bilingual education.

Last action: Introduced Feb. 13 by Sen. Richard Shelby, R- Ala.; referred to the Senate Governmental Affairs Committee.

Next action: No action is scheduled.

*Lender Audit Exemption H.R. 529: Would permanently exempt lenders with Family Education Loan portfolios of less than \$10 million from annual audits.

Last action: Introduced Feb. 4 by Thomas Ewing, R-Ill.

referred to the House Education and the Workforce Committee.

Next action: No action is scheduled.

*Internet Screening.

H.R. 774: Would require Internet access providers to make software to screen World Wide Web sites that are

More...

inappropriate for children.

Last action: Introduced Feb. 13 by Rep. Zoe Lofgren, D-Cal., referred to the House Commerce Committee.

Next action: No action is scheduled.

*Pell Grant Guarantee.

H.R. 777: Would guarantee low income students in the fifth or sixth grade four years of the maximum Pell Grant.

Last action: Introduced Feb. 13 by

Rep. Chaka Fattah, D-PA.; referred to the House Education and the Workforce Committee.

Next action: No action is scheduled.
--V. Casey Gonzalez, Lauren Lazarovici ■

EDUCATION DAILY

The education community's independent daily news service.
February 24, 1997

CHARTER SCHOOLS POPULAR BUT UNTESTED AS REFORM

ORLANDO, Fla. -- Despite the popularity of charter schools among parents and politicians, educators shouldn't put too much stock in them as an instrument of reform, researchers say.

For starters, there is still no evidence that they improve student achievement.

"There is a lot of anecdotal evidence, but no picture nationally," Marcella Dianda, a senior program associate at the National Education Association (NEA), told school administrators at their annual conference here this month.

It isn't clear if charter students' achievement will surpass that of other public school students, she said, or what the charters' effect will be on the public school system.

A recent report evaluating charter schools in Minnesota, the birthplace of the movement, showed there wasn't enough data yet to evaluate student achievement. In fact, only six of the 16 schools examined in that report even had a systematic plan to evaluate the performance.

Still, parents seemed to be pleased. The Minnesota report found 90 percent of parents gave their kids' charter schools an A or B.

A national poll last year found only 66 percent of parents gave marks that

high to the public school their child attended (ED, Aug. 27, 1996).

Citing statistics showing charter schools are smaller than other public schools, NEA's Dianda said size "is a big reason parents like them: because there is more individual attention." Charter schools generally average about 280 students.

Even Gerald Tirozzi, the Education Department's assistant secretary for elementary and secondary education, called charter schools only "a small part of reform."

Political Win

As a public school choice program, charter schools can provide a bulwark against private-school choice proposals such as vouchers, "an issue that is not going away," Tirozzi said during his talk outlining the president's budget.

The number of charter schools already has exploded from one in 1992 to 480 today. Twenty-five states and the District of Columbia have charter laws and Tirozzi predicted 45 states would have such statutes by 2000.

President Clinton has asked for \$100 million for charter schools start-up funding in fiscal 1998, almost double this year's funding.

"Politicians love charter schools

because they are a cheap innovation," said Joe Schneider, deputy executive director for the American Association of School Administrators. "I guarantee this will be funded."

Even with continued increases in federal financial support, about two-thirds of charter schools suffer from limited resources, according to preliminary statistics from a forthcoming ED-sponsored study. The report, originally due at the end of last year, is scheduled for release next month. Speakers at AASA's meeting thought ED was releasing the report then.

Turf Battles

And as popular as charter schools are with politicians, they still face stiff opposition from school boards and state education departments, which have to cede some of their regulatory control to these independent schools.

Political resistance comes in second, after limited resources, as the greatest barrier faced by charter schools, according to ED's draft report.

"Minnesota Charter Schools Evaluation" is free from Bill Allen, Minnesota Dept. of Children, Families and Learning, 550 Cedar St., St. Paul, Minn. 55101, (612)296-4123. -- Lauren Lazarovici ■

IDEA

Diana Fortuna 02/27/97 04:29:17 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: Michael Cohen/OPD/EOP
Subject: Special education and discipline

Here is a long background note about an issue that may arise in the next few weeks.

The Individuals with Disabilities Education Act, which governs special education, is up for reauthorization. The Hill got close to enacting this last year, but negotiations among all the parties fell apart -- disability groups, teachers' unions, school boards, administrators, etc. Now Sen. Lott has announced he will run a 4-6 week process to see if all the parties can reach an agreement.

Just one issue rises to high-level attention: discipline. The unions and school boards want schools and teachers to have more authority to remove disruptive students from classrooms or schools. The disability groups view this as a veiled way to let schools get rid of kids who are tougher to educate by discriminating against them and scapegoating them for all the discipline problems. Parent groups view IDEA as sacred, and get very mobilized at the drop of a hat.

The Administration supported some changes to the law making it easier to remove disabled kids from classrooms under appropriate circumstances. These changes are a bit controversial with the groups, but can be worked out. However, there is one change that Riley draws the line at: whether school districts can stop all services to disabled students who bring guns or other weapons to school -- i.e., no education offered in any alternative setting.

The Federal government has no role in this question for non-disabled students. We only have a say for disabled students because of IDEA. Riley's position is that no child should go without an education, disabled or not.

Last year, Congress was on the verge of letting schools stop all services. Education wanted to keep opposing it, so Leon held a meeting. We agreed at that time that Education could keep fighting until the full Senate passed it, and then back down. But that never happened, and now the issue is back.

Finally, we are in court with Virginia over this issue, threatening to take away all their money if they don't capitulate. We had been winning all the decisions, but we just lost in the appeals court. We have to figure out how that affects our strategy.

It's not clear when/how this issue will come up for your review, but I wanted you to be aware of it given Lott's expedited timeframe (and Elena's disability involvement).

In terms of who would stand with us (other than advocates) if we keep fighting, even Senators like Harkin (who is a real disability champion) voted for this crackdown in committee.

My own judgment is that we should probably give in on this quietly whenever the appropriate opportunity arises. Groups will definitely be very disappointed in us, but as long as we don't brag about it and it appears inevitable in Congress anyway, I don't think it will be viewed as a huge betrayal. I never thought this was as important a right to protect as other discipline questions, like making sure teachers use objective criteria for misbehavior when they pull disabled kids from individual classrooms. I think most

states don't allow cessation of services anyway. But Mike says Riley will fight very hard on this.

Mike: would you add anything to this description?

Diana -

Mike & I suggest
these changes -
do you agree?
Comments due by
1:00.

Thank - Bill K.

DRAFT

STATEMENT BY THE PRESIDENT
ON SIGNING H.R. 5,
THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT
AMENDMENTS OF 1997

It is with great pleasure that I sign H.R. 5, the Individuals with Disabilities Education Act Amendments of 1997, into law. This legislation reaffirms and strengthens our national commitment to children with disabilities and their families.

Since the enactment of Public Law 94-142 over 20 years ago, the IDEA has made it possible for millions of children with disabilities to receive an education that helped them become productive, independent adults. The bill before me today builds on that success story by putting an even sharper focus on improving educational results for these children; by ~~preserving parental rights while~~ giving parents more information and a greater role in decisions affecting their children's education; by reducing paperwork and increasing administrative flexibility; by promoting the use of mediation to resolve disagreements between parents and schools; and by asking schools, teachers, parents, and the children themselves to assume greater responsibility for the success of these children.

This bipartisan legislation is the result of a lot of hard work by the Congress, the Department of Education, parents, educators, the disability community, and others, and I thank all of you who played a part in this very successful effort.

by protecting
the safety of
all students
in the classroom
while retaining
the essential
rights and
protection
of disabled
students;

* * * * *

URGENT

Total Pages: 3

LRM ID: CJB45

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001**

Tuesday, May 27, 1997

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Janet R. Forsgren (for) Assistant Director for Legislative Reference

OMB CONTACT: Constance J. Bowers
PHONE: (202)395-3803 FAX: (202)395-6148

SUBJECT: EDUCATION Signing Statement on HR5 Individuals with Disabilities
Education Act Amendments 

DEADLINE: 1:00 p.m. Thursday, May 29, 1997

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: ED has drafted the attached proposed Presidential signing statement.

DISTRIBUTION LIST**AGENCIES:****EOP:**

Diana Fortuna
Robert M. Shireman
Michael Cohen
William R. Kincaid
Barry White
Kathryn B. Stack

LRM ID: CJB45 SUBJECT: EDUCATION Signing Statement on HR5 Individuals with Disabilities Education Act Amendments

**RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM**

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or

(2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Constance J. Bowers Phone: 395-3803 Fax: 395-6148
 Office of Management and Budget
 Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur

_____ No Objection

_____ No Comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this response sheet



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FAX TRANSMITTAL

TO

Mike Cohen /Bill Kincaid

PHONE

FAX

456-7028

FROM

FRANK S. HOLLEMAN III, CHIEF OF STAFF

PHONE

202-401-6143

FAX

202-401-2098

PAGE(S) TO FOLLOW

3

MESSAGE:

Here's the IDEA
memoCONFIDENTIALITY NOTICE

THIS TRANSMISSION IS INTENDED FOR AND RESTRICTED TO THE NAMED ADDRESSEE ONLY. IT MAY CONTAIN CONFIDENTIAL AND/OR PRIVILEGED INFORMATION. IF YOU RECEIVE THIS TRANSMISSION IN ERROR, YOU ARE NOTIFIED THAT YOU ARE PROHIBITED FROM READING, COPYING, OR DISSEMINATING THE TRANSMISSION. PLEASE CALL 202-401-3000 TO ARRANGE FOR RETURN OF ANY TRANSMISSION SENT IN ERROR. THANK YOU.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY

May 21, 1997

Memorandum

To Mike Cohen

From Frank Holleman

F34

This memo attempts to do two things: (1) to set out a general statement in support of the IDEA reauthorization bill; (2) to list the changes in IDEA that strengthen discipline provisions. As to (2), the memo provides a general statement of what the change accomplishes and then provides in brackets a more technical description of the background and effect.

In general

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Discipline

At the same time, it is important for all children that classrooms be orderly places where children can learn and where teachers can teach. All children must learn to live by the rules. The new bill contains important reforms to improve the classroom.

Under the new bill:

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[The Jeffords Amendment had previously provided for 45 day removal of a child who brings a gun to school. The IDEA reauthorization makes the Jeffords Amendment formally part of IDEA

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[The Education Department and the U.S. Supreme Court had interpreted IDEA to allow for a 10 day removal in any circumstance. The reauthorization makes this interpretation a part of the statutory language, and should make more school officials aware of this option.]

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8. When a child is removed from the classroom, the school must develop a plan to address the child's behavior problems in order to prevent them from reoccurring.

[This requirement applies whether the removal is for 45 or 10 days.]

Let us know if you need anything else.

Bureau of the Census

Statistical Brief

More Education Means Higher Career Earnings

Is it worth it to stay in school and earn a higher degree? As data from the Census Bureau's Current Population Survey show, the answer is a resounding yes!

This Brief examines the relationship between education and earnings during the 1992 calendar year; it also demonstrates how the relationship has changed over the last two decades. Additionally, it provides estimates (by level of education) of the total earnings adults are likely to accumulate over the course of their working life.

You'll see that more education means greater earnings over a year's time; over the length of one's working life, these differences become enormous. Moreover, this relationship between earnings and education is now even stronger than it was back in the 1970's.

We're more educated than ever.

In 1993, about four-fifths of American adults aged 25 and over had at least completed high school; over one in five had a Bachelor's degree or higher. Both figures are all-time highs.



SB/94-17
Issued August 1994

U.S. Department of Commerce
Economics and Statistics Administration
BUREAU OF THE CENSUS

Professional degree holders have the highest earnings.

Adults aged 18 and over who worked sometime during 1992 earned an average of \$23,227 that year. But this average masked the fact that the more education they received, the more money they made. (See graph below.) Earnings ranged from \$12,809 for high school dropouts to \$74,560 for those with professional degrees (such as M.D.'s and J.D.'s).

Earnings differences compound over one's lifetime.

Using 1992 data, we estimated the earnings a person would accrue over a typical "worklife." Here's

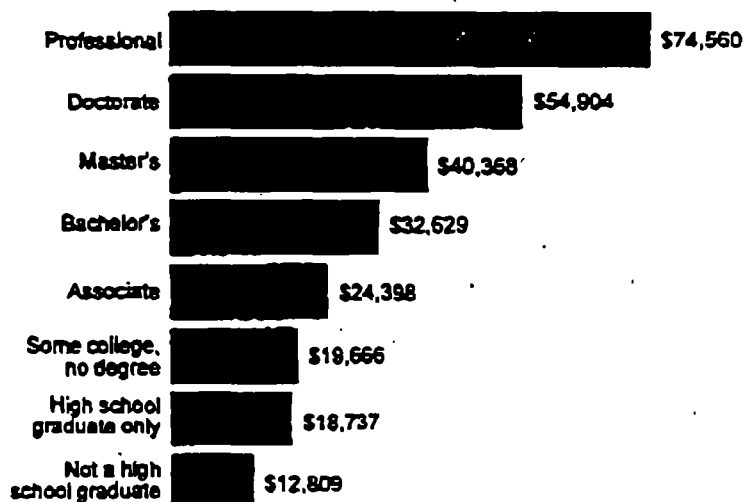
how we did it. First, we defined a worklife as lasting from ages 25 to 64 — a 40-year period. Then we began our calculations.

We started with high school dropouts. We took the 1992 mean earnings figure for persons of this group who were aged 25 to 34 and multiplied it by 10. The same thing was done for those aged 35-44, 45-54, and 55-64. Then, the four 10-year totals were added up. The result was an estimated lifetime earnings total for high school dropouts. This process was then repeated for each of the other seven educational levels.

These estimates dramatically illustrate the large earnings differences

Education Continues to be the Ticket to Higher Earnings

Mean annual earnings for persons aged 18
and over, by level of education: 1992



BUREAU OF THE CENSUS

STATISTICAL BRIEF

August 1994

that develop between educational levels over the long term. As the graph below shows —

- High school dropouts would make (in 1992 dollars) around \$600,000 during their lifetime.
- Completing high school would mean about another \$200,000.
- Persons who attended some college (but did not earn a degree) might expect lifetime earnings in the \$1 million range.
- You could tack on nearly another one-half million dollars for holders of a Bachelor's degree.
- Doctorate and professional degree holders would do even better, at just over \$2 million and \$3 million, respectively.

Lifetime differences may become even more striking in the future.

These estimates of lifetime earnings assume that 1992 earnings levels will stay in effect throughout one's worklife. But the reality is that the value of the dollar continually changes. And recent history shows that the value of higher levels of education has risen faster than that of lower levels. When we compare 1975 and 1992 figures, we see that average earnings —

- Doubled for high school dropouts (from \$6,014 to \$12,809).
- Rose 2.5 times for those who were high school graduates only (from \$7,536 to \$18,737).
- Nearly tripled for holders of Bachelor's degrees (from \$11,574 to \$32,629).
- Tripled for those who held advanced degrees (from \$15,619 to \$48,653).

Keep in mind that in 1992 the consumer price index (which measures yearly changes in the value of the dollar) was 140, 2.5 times what it was in 1975. This means that the earnings of high school dropouts did not even keep up with infla-

tion, and high school graduates just barely managed to keep pace. Real wages rose only for persons with education beyond the high school level. If these patterns continue, lifetime earnings differences between low and high levels of education will become even more dramatic than current levels indicate.

More information:

Several Census Bureau reports have information on the relationship between earnings and education. These include —

■ *Educational Attainment in the United States: March 1993 and 1992*, Current Population Reports, Series P20-476. Stock No. 803-005-00077-0. \$8.50.

■ *What's It Worth? Educational Background and Economic Status: Spring 1990*, Current Population Reports, Series P70-32. Stock No. 803-044-00020-1. \$3.50.

■ *Money Income of Households, Families, and Persons in the United States: 1992*, Current Population Reports, Series P60-184. Stock No. 803-005-30031-5. \$19.

■ *Education in the United States*, Series 1990, CP-3-4. Stock No. 003-024-08742-1. \$41.

To order any of these publications, call the U.S. Government Printing Office (202-512-1800).

Contacts:

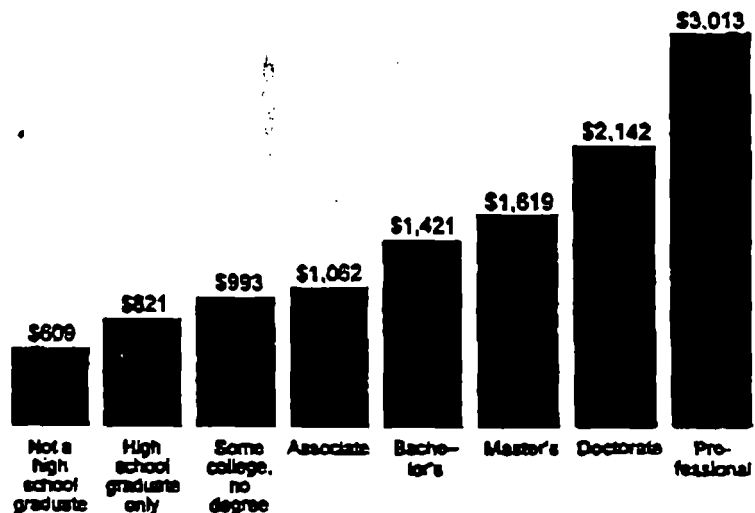
Earnings and education —
Robert Kominski
301-763-1154

Statistical Briefs —
Robert Bernstein
301-763-1584

This Brief is one of a series that presents information of current policy interest. It may include data from businesses, households, or other sources. All statistics are subject to sampling variability, as well as survey design flaws, respondent classification errors, and data processing mistakes. The Census Bureau has taken steps to minimize errors, and analytical statements have been tested and meet statistical standards. However, because of methodological differences, use caution when comparing these data with data from other sources.

Go to College, Make a \$Million

Estimates of worklife earnings, by level of education: 1992
(In thousands of dollars)





UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FAX TRANSMITTAL

TO

Mike Cohen /
Bill Kincaid

PHONE

FAX

456-7028

FROM

FRANK S. HOLLEMAN III, CHIEF OF STAFF

PHONE

202-401-6143

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memoAND A CENSUS STAT BRIEFRE MORE ED = MORE \$\$\$CONFIDENTIALITY NOTICE

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Let us know if you need anything else.

5-16-97

Educators Say Proposed Law Boosting Ability To Punish Disabled Kids Doesn't Go Far Enough

By JUNE KRONHOLZ

Staff Reporter of THE WALL STREET JOURNAL
As Principal E. Don Brown tells it, a 17-year-old junior terrorized L.D. Bell High School outside Dallas last year, throwing punches, brawling and, finally, breaking the nose of a male teacher-aide.

But because the youngster was diagnosed as emotionally disturbed, under the law Mr. Brown couldn't suspend him, couldn't expel him and couldn't send him to a special school for children with discipline problems. Instead, at a cost of \$40,000, he hired a full-time teacher and a full-time aide for the student; the three spent the rest of the year in a classroom isolated from the rest of the school.

When the Individuals with Disabilities Education Act was passed in 1975, it sounded, as its acronym suggests, like an idea whose time had come. The IDEA law guarantees an education to all disabled children until age 21 and requires that they attend school in the "least restrictive setting," usually a regular classroom. But, with violence increasing in schools, educators complain the law has a dangerous flaw: It also restricts the ability to discipline special-education students, even those caught bringing weapons and drugs to school.

A rewritten law that would tighten discipline guidelines passed the House yesterday and is expected to pass the Senate today. But teachers' and principals' groups remain alarmed, saying the changes don't go far enough.

Ballooning Program

"Congress hasn't done anything to help us," says Michael Brown, principal of Hope High School in Hope, Ark. "They haven't helped education. They haven't helped the children." Meantime, the program has ballooned to 13% of all public-school children, and to a cost of perhaps \$39 billion a year, according to the U.S. Education Department.

Discipline restrictions were written into the original IDEA law because advocates for the disabled feared schools might use behavior problems as an excuse to get rid of special-education children. At most, special-education youngsters could be sent home for 10 days in any school year, no matter how serious their offenses.

But children arrive at school these days with problems far more serious than in 1975, teachers say — drug and child abuse and the effects from fetal alcohol syndrome — and learning defects are being diagnosed earlier. Children with learning, speech or language problems account for about 72% of the 5.4 million special-education youngsters now. Children with crippling disabilities account for only 1.2%.

Criminal 'Incidents'

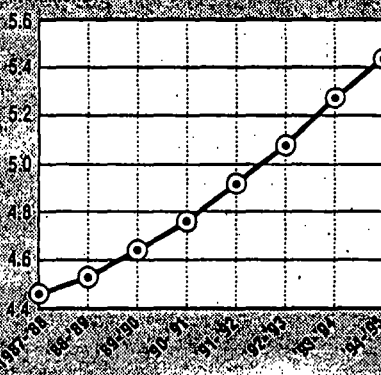
When the law was written, moreover, no one foresaw the problems of guns and violence in the schools. The Education Department, which tracks reports of school violence, doesn't break out incidents by special-education students. But the United Federation of Teachers, the New York City teachers' union, says there were 4,712 criminal "incidents" against its members last year — assaults, sex offenses, robbery — and that half were committed by special-education students.

Two years ago, to bring special education into line with the gun laws for general-education children, Congress amended IDEA to allow schools to suspend a disabled child who brings a gun to school. But while general-education children face a one-year suspension under the federal Safe and Gun-Free Schools law, a disabled child can face only a 45-day suspension. And during the suspension, the school district must continue educating special-education students.

Educating Disabled Children

Growing Numbers

Special-education students, aged 3-21, in millions



Major Categories

Special-education children by disabilities, 1994-95 data

	TOTAL (in millions)	PERCENT OF TOTAL
Learning disabilities	2.51	51.1%
Speech or language impairments	1.02	20.8
Mental retardation	0.57	11.6
Emotional disturbance	0.43	8.7
Multiple disabilities	0.09	1.8
Hearing impairment	0.07	1.3
Orthopedic impairment	0.06	1.2

Source: U.S. Education Department

So when three Hope High School students, one with learning disabilities, robbed a pawnshop, beat the owner and then brought stolen guns to a school basketball game two years ago, all three were arrested and two were expelled. But the school district couldn't expel the disabled student and was required to send a tutor to jail for the next year to educate him while he was awaiting trial.

Recent revisions now allow for youngsters whose disabilities didn't cause their behavior problems to receive the same discipline as other children, as long as they continue to be taught. That has set up double and even triple standards of discipline in schools. When David Hoekel, principal of Fort Zumwalt North High in O'Fallon, Mo., found four of his students using methamphetamines, he immediately suspended the two general-education students for a year.

The third was a learning-disabled student; a special hearing officer ruled that his disability wasn't linked to his behavior, so he was suspended for a year, but given home tutoring. The fourth was a student with behavior problems that a hearing officer ruled caused him to act inappropriately; he got the maximum 10-day suspension for special-education students and returned to school.

'Slippery Slope'

Rewriting IDEA is delicate because the law is widely seen as having extended education to children who once were shut out of the public schools. Advocates for the disabled also have lobbied heavily against most changes in the discipline provisions. "We call that the slippery slope for pulling large numbers of children out of class," says Joseph Ballard, policy director for the Council of Exceptional Children.

Judith Heumann, assistant secretary of education, insists that with better training, particularly in behavior problems, teachers "can work with most children." And dealing with discipline problems in school, she adds, is a lot cheaper than dealing with them, later on, in the juvenile court system.

The new law would toughen discipline

guidelines by broadening the 45-day suspension for special-education youngsters who bring guns to school to also cover other weapons and drugs. Disability advocates and teachers' and principals' groups all support the provision.

But teachers and principals say the new law doesn't go far enough. It sets up such complicated rules before a youngster can be disciplined for assault that it doesn't deal with one of their major problems: special-education youngsters who attack their teachers, or each other, with fists.

"Teeth and feet and hands can be weapons just as much as knives can," says Linda Gruehn, principal of Baker Elementary in Acworth, Ga., who recently ordered up hepatitis shots for a teacher who was bitten by a special-education student.

Teachers also are dismayed that the law doesn't strengthen their ability to deal with disruptive special-education children. Advocates for the handicapped opposed any sanctions on disruptive behavior because, says Mr. Ballard, "it could be used against a large population of children."

But Sid Graham, principal of West Elementary in Knoxville, Iowa, describes an 180-pound sixth grader who "wreaked havoc" for a year, fighting and stopping classroom work with his outbursts before he finally moved to another school. A former special-education teacher himself, Mr. Graham says the child left him "desperate," and he fears the rest of the class lost learning time because of the disabled child.

"I fought hard for the disabled," he says, "but we haven't got this thing right."

Copied
Reed
COS

Mike/Brill -

Could we get an

answer for next week's weekly?

THE WALL STREET JOURNAL
WEDNESDAY, MAY 14, 1997

Thanks much
Elena

cc Bruce

HIGHLIGHTS OF THE ADMINISTRATION'S IDEA PROPOSAL

INDIVIDUALS WITH DISABILITIES EDUCATION ACT AMENDMENT OF 1995

Improve results for children through higher expectations and access to the same curriculum as nondisabled children

Despite our knowledge that most children with disabilities can achieve to high standards if we have high expectations for them and provide them with necessary services, many schools provide a watered-down curriculum and fail to take responsibility for their academic progress.

To focus the IDEA on improving educational results for children with disabilities, the Administration's bill would--

- o Improve the individualized education program (IEP), which is required for each student. The IEP would describe services that would be provided to enable the child to participate in the general curriculum. Each child would have meaningful annual objectives, instead of overly detailed short-term objectives, and parents would be informed of their child's progress, by means such as report cards, with the same frequency as parents of nondisabled children. At least one regular education teacher would be required to participate in the IEP meeting to develop the child's program.
- o Require the inclusion of children with disabilities in State and district-wide assessments of student performance and reporting on the results of State assessments. The bill would also require alternate assessments for students who cannot be appropriately included in the general assessments because of significant cognitive disabilities.
- o Require States to develop goals for the performance of children with disabilities and report to the public and the Secretary on their progress every two years.

Strengthen the focus on addressing each child's individual educational needs while eliminating unnecessary labelling

Currently, children are often identified and served according to the disability category in which they are labeled rather than according to their educational needs.

To reduce unnecessary categorization of children, the Administration's proposal would--

- o Help ensure that funding does not create disincentives for appropriate identification and services. The Federal formula would be changed to allocate all new funding above the FY 1995 level on the basis of population, instead of child counts. This would remove disincentives States

currently have for trying to address the needs of children through regular education and would remove incentives to over-identify children as disabled.

- o Modify the definition of who is eligible for services under the IDEA to make it clear that it is not necessary to label children in one of the 13 disability categories in order to serve them.
- o Focus procedures for evaluating children to determine their eligibility for special education on gathering instructionally-relevant information.

Reducing unnecessary paperwork and prescription

Critics have charged that the IDEA is focused on process without sufficient attention to educational results.

To help ensure that unnecessary paperwork and prescription do not drain resources that could be used to improve teaching and learning, the Administration's proposal would--

- o Replace the State plan, which is used to determine eligibility for funding, with a requirement that States update documentation kept on file at the Department of Education, rather than resubmit boxes of documents again and again.
- o Allow schools to use IDEA funds for special education services provided for a child with a disability in the regular classroom without having to document the extent to which nondisabled children also benefited from those services.
- o No longer require districts to re-determine whether each child is eligible for special education every three years when parents and school agree that the testing is not needed.
- o Allow State educational agencies to consolidate Federal funds for administering the State formula grant programs under Part B of the IDEA.
- o Permit States and school districts to use some IDEA funds to supplement other Federal, State, or local funds in developing and implementing statewide coordinated service systems to improve the coordination of non-educational services, in particular for children with disabilities.

Help schools provide for a safe and orderly environment

Maintaining a safe and orderly environment, which is essential

for learning, is not incompatible with retaining basic safeguards for children with disabilities that are needed to ensure that children with disabilities are not removed from school without good cause.

To increase the ability of schools to provide a safe and orderly environment without reducing the rights of children with disabilities, the Administration's proposal would--

- o Permit schools to immediately remove any child who brings a dangerous weapon to school to an alternative educational setting for up to 45 days.
- o Give hearing officers the same authority that courts currently have to remove a child for conduct that is substantially likely to result in an injury to himself or others to an alternative placement for up to 45 days.

Improve relationship between parents and schools

The IDEA provides procedural safeguards to help ensure that the right of children with disabilities to an appropriate education is protected, including the right for an impartial due process hearing. While family involvement is critical to improving results for children, unnecessary litigation can create emotional and financial burdens for families and school districts.

To help resolve disputes without resort to litigation, the Administration's proposal would--

- o Require States to offer mediation to parents as an option for resolving a disagreement when parents have brought a complaint.

The Administration's bill would not affect the right of parents to recover attorneys fees when they have prevailed in a legal proceeding to protect their child's right to a free appropriate public education.

Target categorical funding on activities that will assist States, school districts, and parents to improve implementation of the IDEA

The Administration's proposal would--

- o Replace 14 categorical programs with 5 comprehensive and coordinated programs that reflect an appropriate Federal role in assisting States and others with improving results for children--State Improvement, Professional Development, Research to Practice, Parent Training and Information, and Technology Development and Educational Media Services.

- o Replace hundreds of grants made to institutions of higher education for personnel development with State Improvement Grants that would provide significant flexible resources to enable States to address their needs for personnel through strategies to reduce shortages and upgrade the skills of existing personnel.

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