



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

May 2, 1996

Dear Governor:

I am writing to inform you of some important developments regarding the Goals 2000: Educate America Act that have occurred as a result of the 1996 Omnibus Appropriations Act, which President Clinton signed into law on April 26, 1996.

Most importantly, Congress, with President Clinton's strong support, has continued its bipartisan support for this very important program. In FY 1996, Goals 2000 is funded at \$350 million, just slightly less than current funding levels. These funds will be available to states beginning July 1. For your information, I have enclosed a table that shows the allotment for each state.

Second, Congress passed a package of amendments to the Goals 2000 Act as part of this appropriations bill. These amendments were authored by Senator Arlen Specter. Senator Specter's amendments were offered to respond to concerns raised in states that were not participating in Goals 2000. As Senator Specter said when he introduced the amendments in October 1995, "It is my view that there are no excessive intrusions at the present time. But in order to eliminate any concern about that issue, it was my thought that legislation might ease the concerns of some in the country who think there are too many intrusions."

I strongly believe that Goals 2000 is already being effectively implemented in most states and could continue to be implemented without any changes to the legislation. I also recognize that some provisions in Goals 2000 have been widely misunderstood.

I supported Senator Specter's objective in introducing his legislation and found the amendments he proposed acceptable. They make adjustments in the operation of Goals 2000, without in any way altering its fundamental purpose of helping local communities and states improve student achievement. They honor the fundamental principles on which Goals 2000 is based:

challenging academic standards for all students as the basis for state and local education improvement strategies, state and local control of education, broad-based involvement in education reform, and accountability for results.

I have enclosed a brief summary of these amendments, as well as the specific legislative language. Briefly, these amendments:

- o eliminate the authority to establish the National Education Standards and Improvement Council (NESIC), which was never established;
- o eliminate all references to opportunity-to-learn standards;
- o maintain the requirement that states and local school districts participating in Goals 2000 establish broad-based planning panels, while eliminating more detailed requirements for their composition or operation;
- o provide states with an alternative to federal review and approval of state education improvement plans, while maintaining appropriate accountability;
- o permit local school districts in states that were not participating in the Goals 2000 program as of October 20, 1995 to apply directly to the U.S. Department of Education for part of a state's share of Goals 2000 funds, subject to the approval of the state education agency; and
- o clarify that Goals 2000 does not require outcomes-based education, school-based health clinics, or other controversial practices.

In addition, Senator Hatfield authored an amendment to the Goals 2000 Act that authorizes an additional six states to participate in the Ed-Flex demonstration program. As you know, this program enables me to delegate to state education agencies the authority to waive statutory and regulatory requirements in selected federal education programs. Six states -- Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont -- have already been selected for this program. Unlike the initial selection, there is no requirement that the next six states be divided evenly between small and large states. As in the past, states must have an approved Goals 2000 plan in order to be eligible to participate.

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In the near future, the Office of Elementary and Secondary Education will provide more specific guidance on the implementation of these provisions. Until then, if you or your staff have any questions regarding the implications of these amendments to Goals 2000, please call Mike Cohen, my Senior Advisor on Education Reform, at (202) 401-3385.

Yours sincerely,


Richard W. Riley

Enclosures

**AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT
1996 Omnibus Appropriations Act**

o **Authorization of Six Additional ED-Flex States**

The Secretary of Education is authorized to select an additional six states to participate in the ED-Flex demonstration program. This program allows the Secretary to delegate to state education agencies the authority to waive statutory and regulatory requirements in most federal education programs. State agencies may then waive federal requirements for local districts and schools if these requirements interfere with state or local approaches to improving student achievement.

States must have an approved Goals 2000 education improvement plan in order to be eligible to apply for Ed-Flex.

Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont are currently participating in Ed-Flex.

o **Repeal of the National Education Standards and Improvement Council**

The provisions in Goals 2000 to establish the National Education Standards and Improvement Council (NESIC) are repealed. The Council would have been responsible for reviewing and approving voluntary national standards. No state would be required to use standards certified by NESIC, and no federal funding could be tied to the use of standards recognized by NESIC.

At the request of Secretary Riley and the members of the National Education Goals Panel, President Clinton agreed last year not to appoint members to NESIC, pending Congressional action to repeal the authority to establish NESIC.

o **Elimination of Opportunity-to-Learn Standards**

The authority to establish voluntary model national opportunity-to-learn standards and the requirement that states describe the "standards or strategies" to provide all students an opportunity-to-learn the content in state academic standards have been repealed.

o **Elimination of Specific Panel Composition Requirements**

The specific requirements governing the composition of the Goals 2000 state planning panels and local planning panels have been eliminated. The Act now provides simply that state plans must be developed by a broad-based state panel in cooperation with the state education agency and the governor.

o **Establishment of Alternative to Federal Approval of State Education Improvement Plan Based on Increased Accountability to the Public in Each State**

States are required to complete the development of an education improvement plan, based on challenging academic standards, in order to be eligible for continued funding after two years of participation in Goals 2000. As initially enacted, Goals 2000 provided that this plan be reviewed by a nonfederal panel of educators, business leaders and others involved in education reform, and approved by the Secretary of Education based on a recommendation of this panel.

States may continue to rely on this procedure. As an alternative to submitting its education improvement plan to the Secretary, a state may instead:

- (1) submit an assurance from the Governor and the chief state school officer that it has a completed plan that meets the requirements of the Goals 2000 Act;
- (2) make its education improvement plan, and the indicators it will use to judge progress in implementing the plan, widely available to the public within the state; and
- (3) report annually to the public on progress the state is making in meeting its indicators of progress.

Twenty states have already completed state education improvement plans and submitted them to the U.S. Department of Education for review. Each of these states has received approval of its plan, and none has been required to change its plan in order to gain approval. States have benefitted from feedback and the interaction with an external review panel comprised of experts who become familiar with the state plan.

o **Direct Grants to Local Education Agencies in Nonparticipating States**

Local education agencies in any state that was not participating in Goals 2000 as of October 20, 1995 may, with the approval of the state education agency, apply directly to the U.S. Department of Education for a portion of their state's Goals 2000 allotment.

States covered by this provision will be notified in the next several days of the procedures that will be used to administer the local grants program. There will be only a brief period for state education agencies to determine whether to approve local participation in Goals 2000, because of the need to complete a grants competition by September 30, the end of the fiscal year.

o **Clarification regarding Outcomes-Based Education, School-Based Health Clinics, or Social Services**

The amendments expressly state that Goals 2000 may not be construed to require a state, local education agency, or a school, as a condition of receiving Goals 2000 assistance, to provide --

- (1) outcomes-based education;
- (2) school-based health clinics, or social services.

o **Clarification on Use of Funds for Technology**

The amendments clarify that Goals 2000 funds may be used for the acquisition of technology and the use of technology-enhanced curricula and instruction.