

# EDUCATION DAILY®

The education community's independent daily news service

## EDUCATION INSIDER

### Hoekstra ready to go distance against NCLB

By Frank Wolfe  
Staff Writer

For Rep. **Peter Hoekstra**, R-Mich., the race against NCLB is not a sprint, but a long-distance event. Hoekstra voted against the bill in 2001 and is running hard against the reauthorization nearly six years later.

Hoekstra may have the mindset for such a race, as he has run three marathons. The last, in 2006, was the **Walt Disney World** Marathon in Orlando, Fla., which Hoekstra ran to benefit two Michigan children afflicted with ataxia telangiectasia, a rare childhood disease that predisposes children to terminal cancers and severely weakens their immune systems. The 53-year-old Hoekstra finished the race with a time of 4:17:53.

During this year's NCLB reauthorization debate, Hoekstra will likely use his racing endurance in the fight against federal mandates in education. **Congress'** lead champion for local control of schools, Hoekstra's Academic Partnerships Lead Us to Success (A-PLUS) Act, has attracted 63 cosponsors in the **House** — the most of any anti-NCLB legislation. Yet, Hoekstra sees little hope in the near term to stop reauthorization and remains fiercely critical of the **Bush administration's** education policies.

Hoekstra said House **Education and Labor Committee** Chairman **George Miller**, D-Calif., and **Senate Health, Education, Labor and Pensions Committee** Chairman **Ted Kennedy**, D-Mass., "will write the next NCLB bill."

"It will gut everything the president is supposedly in favor of — accountability," Hoekstra said, predicting that a provision of multiple measures presages "no failing schools in 2010," as such measures would encourage schools to adopt the measure that would permit them to pass AYP.

"When you look at what the president first talked about in 2001, like parental choice, he has abandoned that," Hoekstra said. "He sold half the loaf to the Democrats in 2001 to pass NCLB.

(See **HOEKSTRA** on page 2)

## Today's Highlights

Vol. 40, No. 169 • Tuesday, September 18, 2007

### EDUCATION DEPARTMENT

Building renamed to honor former president Johnson..... **Page 2**

### ACCOUNTABILITY

CEP: More research needed on effects of exit exams ..... **Page 3**

### CAPITOL HILL WATCH

Advocates keep fingers crossed on family literacy program ..... **Page 5**

**Daily Briefing** ..... **Page 6**

**Bits & Pieces** ..... **Page 6**

## CLOSE-UP: HOMELESS EDUCATION

### New laws could spur equal access for homeless

By Sarah D. Sparks  
Staff Writer

*It has been two decades since the McKinney-Vento Homeless Assistance Act created the first federal education program for homeless students, and Education Daily® is looking at how research and programs for those children have changed over time. Friday we focused on identification and Monday on academic achievement. Today, we'll look at how the law is likely to evolve under NCLB reauthorization.*

Federal homeless-education policy is likely to take a broader, more nuanced approach in the next iteration of McKinney-Vento and NCLB, as educators and policymakers develop a better understanding of homeless students and their needs.

"I see it as refinements," said **Barbara Duffield**, policy director for the **National Association**

(See **HOMELESS** on page 4)

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## Building renamed to honor former president

By Erin Uy

Staff Writer

At the heart of America's education policy is a school teacher who believed all children could succeed, and a leader who provided the driving force to strive for that goal, **Education Department** leaders said about former **President Lyndon B. Johnson**.

In the midst of NCLB reauthorization, policymakers and education advocates renamed the ED building the **Lyndon Baines Johnson Department of Education Building** on Monday morning. President Johnson, a former teacher, signed landmark legislation during his terms in office, including the Elementary and Secondary Education Act, the basis for the current NCLB act. Johnson also supported legislation that launched Head Start, among other programs.

The progress of the country's educational system, which has raised standards for minority, ELL, and special education students, is testament to Johnson's educational efforts, said

Education Secretary **Margaret Spellings**. She noted that nearly 80 employees have been with ED since the **Johnson administration**.

"He asserted that equal education was just that: quality of education for every American, regardless of skin color, background or family income. He was ferocious in his struggle to give minority and low-income people a helping hand," Spellings said.

Johnson, a Texas native, taught fifth, sixth and seventh grades and served as principal at **Welhausen School**, a Mexican-American school in South Texas. He also taught public speaking at **Sam Houston High School** in Houston. Johnson believed education could be the equalizer for opportunity, said his daughter, **Luci Baines Johnson**.

"My father believed education is the best passport out of poverty and a quality education is mankind's greatest hope for tomorrow," she said. "No honor would have meant more to Lyndon Johnson than to be remembered for improving educational opportunities for all Americans."

### HOEKSTRA (continued from page 1)

"He will give them the rest of the loaf to get NCLB reauthorized, and it will bear no resemblance to what this president ever talked about, but he will just claim it as a legacy project, and we will have a massive federal bureaucracy running K-12 education, all thanks to **George W. Bush**."

The child of Dutch immigrants, a 3-year-old Hoekstra moved with his parents to Holland, Mich., after the arrangement with the Hoekstras' host family in Cleveland fell through.

Hoekstra's father ran a local bakery for 25 years. After receiving his bachelor's in political science from **Hope College**, Hoekstra received a master's in business administration from the **University of Michigan** and spent 15 years at the furniture design firm **Herman Miller**, where he started as a project manager and rose to vice president for product management. In 1992, Hoekstra defeated 13-term Republican Rep. **Guy Vander Jagt** — for whom Hoekstra had interned — to capture the congressional seat for Michigan's 2nd district.

### Losing battle?

Life's lessons have imprinted on Hoekstra the importance of fighting for his beliefs, even in what is likely to be a losing battle on NCLB reauthorization.

Hoekstra is especially critical of Bush and Education Secretary **Margaret Spellings** on the administration's recent backpedaling on the College Cost Reduction Act, which the **White House** had threatened to veto, in large part because of its expansion of federal spending. Miller announced last week, however, that Spellings voiced her support for the bill, which is to reduce interest rates on college loans and increase the maximum Pell Grant to \$5,400 by 2012. Hoekstra said the administration will face payback from Republicans on any vote to reauthorize NCLB.

"The guy has no political capital left on education," Hoekstra said of Bush. "He didn't have much to begin with, and he he's got even less now. Philosophically, he just sold us out on the College Cost Reduction Act, and now his administration has sold out his strongest supporters — maybe his only supporters — on NCLB."



Published every business day by LRP Publications, Inc. (ISSN: 0013-1261), 360 Hiatt Drive, Palm Beach Gardens, FL 33418, Editorial: (703) 516-7002, extension 21; Customer Service: (800) 341-7874; New Subscriptions: (800) 341-7874. Publisher: Kenneth F. Kahn, Esq.; V.P., Editorial: Claude J. Werder; Corporate Executive Editor: Candace Golanski Gallo; Executive Editor: Debi Pelletier; News Editor: Charlie Hendrix; Editorial Staff: Kris Kitto, Pamela Moore, Joseph L. Pfrommer, Esq., Stephen Sawchuk, Mark W. Sherman, Sarah D. Sparks, Jeanne Sweeney, Erin Uy, Frank Wolfe; Copy Editor: Jennifer Pfaff. Annual subscription rate: \$1,200. Single issues: \$6. Copyright 2007 by LRP Publications, Inc. Federal law restricts reproduction of material in this newsletter without written permission. Authorization to photocopy items for internal or personal use, or the

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# CEP: More research needed on effects of exit exams

States move toward harder tests, but remediation uneven

By **Stephen Sawchuk**

Staff Writer

States appear to be moving toward harder high school exit exams, although there is little comprehensive information about how their current tests affect school culture.

And while most states provide extra help to ensure students pass the exams, their efforts have been scattershot, a recent report from the **Center on Education Policy** reveals.

The increased state push for harder exit exams reflects the pressure to improve high schools, CEP President **Jack Jennings** said.

"This is a lever of control a state has," he said. "The courts have said states can require these exams as state policies, so it's another test-based accountability reform."

But with so little known about the impact of the reform, CEP officials urged states to do more to evaluate the impact high school exit exams have on curriculum and instruction and to determine the effectiveness of exam remediation strategies.

Better data on both fronts is crucial because of the exams' high-stakes nature, Jennings said.

"For most kids, the exit requirement means they take the courses seriously and pass the exam," he said. "But for some kids, it means they don't get a diploma."

## Exit exam landscape

The CEP report found that 22 states have high school exit exams. Four others are phasing in the tests.

The number has steadily increased throughout the past five years; only 18 states had exit exams in 2002, and a projected 26 states will have them by 2015.

Most states' exit exams are standards based and measure content pegged at about the 10th-grade level. End-of-course tests, on the other hand, are taken as students complete specific courses and are more closely aligned to those courses.

States have instituted EOCs in courses most students take after 10th grade, such as Algebra II and chemistry.

Only four states — Mississippi, New York, Tennessee and Virginia — use EOCs as their state high school exit exams; one additional state, Texas, this year approved legislation to replace its existing test with EOCs. But by 2015, 12 states plan to make the switch.

"I think you have to think of it in terms of waves. The first set of exit exams frequently had difficulty getting implemented as policies, and states were not very demanding," Jennings said.

"Now, states are trying to find ways of getting those exams more rigorous, at least in established states."

As *Education Daily*® reported earlier this year, the movement towards EOCs can partly be attributed to the push for better alignment of high school and postsecondary skills.

Current exams do not appear to serve this purpose well.

According to the report, just nine of the 24 states surveyed used their exit exam to determine graduates' skill levels relative to those needed for entry-level careers, and just six states used them to determine graduates' skill levels relative to those needed for success in college.

## Capacity problems

Even while states move to harder tests, remediation for the exams is uneven, and its effects are unknown.

Though nearly all of the states surveyed said they offered technical assistance for districts to raise initial pass rates on the exam, they tended to target teachers through "train-the-trainer" workshops and online assistance rather than by offering additional financial resources to districts.

Just three states, California, Florida and Nevada, require school districts to offer exit exam remediation.

While most states reported that their districts offered some type of remediation, 23 said it was offered outside of the regular school day. Only 10 said districts integrated it into regular classes.

The biggest challenge to a comprehensive approach to remediation, however, could be the age-old issue of capacity.

The states "are generally understaffed, they have funding problems, they are overwhelmed with responsibilities under NCLB," Jennings said.

"They send out materials on the Internet or mail out packets of material on what the exams are about and try to run training systems for teachers.

"But they don't have strict systems of evaluations to see if what they've done is resulting in improvement."

## Miles to go

When **Becky Hicks** started working as homeless coordinator for **St. Paul (Minn.) Public Schools**, her first call was from the district's transportation director, telling her the district could not pay for transportation for homeless students to return to their former schools.

"He was really fearful that I was going to come in and make him drive unreasonable amounts of time and distance," Hicks said.

Transportation remains the most common challenge to educating students without a permanent address. NCLB changed the McKinney-Vento Homeless Assistance Act to require districts to allow homeless students to remain in their original school and to pay for the trip.

"Transportation ... is essential to school stability and a very important policy, but the funding has been very, very difficult," said **Barbara Duffield**, policy director for the **National Association for the Education of Homeless Children and Youth**. "When districts see their transport costs go up, there's really a disincentive to identify kids."

The **Institute for Children and Poverty** also found students who returned to their home school for stability

often traded their time and energy in long commutes to and from their shelters each day. A January 2003 study, shortly after New York City implemented the law, found 56 percent of students had more than 30-minute commutes — and more than a third traveled more than an hour per day — while before implementation, 73 percent traveled less than a half-hour both ways.

Hicks worried about the travel time and costs for her students. The staff reviews each student's profile to balance the stability of attending the home school against the emotional drain of long travel time or limited extracurricular activities. She finally came up with a compromise plan using the bus system and donated vans and involved the transportation director and his staff in identifying students for the program.

Coordination paid off; the wary transportation director eventually won the office's annual "Friend of the Homeless" award and has become one of the program's most vehement supporters.

"It's not rocket science, but it's worked with us," she said. "I talk to transportation staff as much as I do with some of my staff."

## HOMELESS (continued from page 1)

**for the Education of Homeless Children and Youth**. "With NCLB, we were very thankful to get lessons learned from the field."

The **House Education and Labor Committee's** NCLB discussion draft dedicates 64 pages of changes and clarifications to broaden access for homeless students. The draft matches much of the language in H.R. 3205, the Homeless Education Improvement Act, sponsored by Rep. **Judy Biggert**, R-Ill. Biggert is a longtime homeless education advocate whose motto this term is, "Being without a home should not mean being without an education."

Biggert's bill and the draft specify that homeless students should have equal access to charter and magnet schools as well as career and technical education and Advanced Placement courses. Both also require districts to target homeless students to participate in those programs and extracurricular activities. After-school and summer classes in particular, with accompanying summer meal programs, can be critical for homeless families.

Moreover, because roughly 40 percent of homeless children are 5 years old or younger, proposals on the next iteration of the law have expanded its services to cover preschool and Head Start programs as well as early screening and intervention for special needs. **Becky Hicks**, Title I homeless coordinator for **St. Paul (Minn.) Public Schools**, hopes that provision sticks: "I would like to see mobile Head Start systems" for young children in shelters, she said.

The bill and draft also codify the interagency cooperation developed under the **Education Department's** aegis by requiring state homeless coordinators to collaborate with local general and special

educators as well as housing authorities, social and child welfare services, juvenile justice officials, shelters and homeless advocates.

The Title I discussion draft does not create a predetermined set-aside for homeless students but would allow districts to use the grants for more services through a detailed needs assessment, involving the district homeless liaison and others.

"Title I connection is an essential link that has been extraordinarily frustrating in the past few years," Duffield said, noting that many districts have not set any grant money aside. "That whole relationship is one we are watching closely."

## Transfer issues

Both H.R. 3205 and the discussion draft would allow districts to balance NCLB's requirement that homeless students remain in their original school with the flexibility to include other factors if the student or parent wishes it, such as:

- Impact of mobility on academic achievement and social and emotional well-being.
- Child's age.
- Impact of a school commute on her education (see sidebar).
- Personal safety issues (parent custody disputes, for example).
- Student's need for special education or other services.
- Amount of time a student is expected to stay in a temporary home or shelter.
- Remaining time in a school year.
- Placement of other family members.

*The draft reauthorization language is available under Title XI at <http://edlabor.house.gov/bills/MillerMcKeonNCLBDiscussionDraftIII.pdf>.*

## Advocates keep fingers crossed on family literacy program

By Mark W. Sherman

Staff Writer

Supporters of Even Start say they are counting on the **Senate's** traditional willingness to defer to the **House** on programs the House considers its own, plus a change in party control, to fund the family literacy program.

Backers admit they have been chastened, however, by a precipitous drop in appropriations for the program during the past four cycles.

In FY 2004, when the House approved \$250 million for the program and the Senate proposed \$175 million, the chambers agreed on \$248 million.

But the following year, when the House came in with \$247 million and the Senate with zero, the conference committee approved only \$227 million.

In FY 2006, when the House proposed \$200 million and the Senate again recommended no funding, the chambers split the difference at \$100 million.

Funding levels might have dropped even further in FY 2007 had **Congress** not passed a continuing resolution keeping FY 2006 numbers in place through the end of this month, because the House **Appropriations Committee** recommended cutting the program to \$70 million.

As it was, the program received \$82 million this year — the \$99 million the program ended up with in FY 2006 after an across-the-board cut minus \$17 million that was reprogrammed by the **Bush administration**.

For FY 2008, the House has approved \$99 million, but the Senate **Appropriations Committee** has again recommended zero funding, even though leadership of the committee has passed from Sen. **Thad Cochran**, R-Miss., to Sen. **Robert Byrd**, D-W.Va.

Former Rep. **Bill Goodling**, R-Pa., who led the drive to enact the program in 1988 and championed it as chairman of the **Education and the Workforce Committee** until his retirement in 2001, said he met with Byrd aides but came away with no guarantees.

"The excuse I got was, 'Why don't we use that as a bargaining tool?'" said Goodling, chairman of the **Goodling Institute for Research in Family Literacy** at Penn State and former superintendent of the **Spring Grove (Pa.) Area School District**.

Although Goodling may have been disappointed to see a program whose full title bears his name reduced to a bargaining chip, it is also true that the Senate has always let the program survive.

When one side starts out at zero, however, there's no telling what the final number will be, said **Tony Peyton**, policy director at the **National Center for Family Literacy**.

"It gets a little more concerning to us as we've seen an erosion of overall Even Start funding," he said.

"All of a sudden, it doesn't become a comfortable bargaining chip for us."

There is some support in the Senate, however. In May, Sens. **Hillary Clinton**, D-N.Y., and **Olympia Snowe**, R-Maine, wrote to Byrd and Cochran, urging them to restore the program to its FY 2005 level of \$225 million.

The letter bore the signatures of 15 other senators, including Republicans **Norm Coleman** of Minnesota and **Susan Collins** of Maine.

In short, supporters of the program have reasonable grounds for hope, said **Sue Henry**, CEO of the **National Even Start Association**.

"The Senate currently has no funding, but we are working with them," she said. "I am cautiously optimistic."

### Miller's NCLB plan would reauthorize Even Start

An encouraging sign for supporters of **Even Start** — which combines literacy activities for young children with literacy training for their parents — is that the program is included in an NCLB reauthorization draft bill put forward by Reps. **George Miller**, D-Calif., and **Buck McKeon**, R-Calif.

Among other things, the Miller draft would give the program its own review panel under the auspices of the **Institute of Education Sciences**.

The panel would serve as a counterweight to the **Office of Management and Budget**,

which has given the program failing marks under its Program Assessment Rating Tool process, said **Stuart Perelmutter**, a spokesman for Rep. **John Yarmuth**, D-Ky., who introduced stand-alone legislation reauthorizing Even Start in July.

"The problems with Even Start have not been with the program, necessarily, but with the monitoring of the progress," Perelmutter said.

"Right now, it's been very difficult to say that we're succeeding or we're failing."

## Across the Nation

### Florida

#### Most districts expected to reject merit pay

About two-thirds of the state's 67 school districts are expected to ignore the state legislature's call for merit pay proposals, thus losing out on \$148 million from the state in teacher bonuses, the Sarasota *Herald-Tribune* reported.

Two years ago, the legislature adopted the principle of merit pay under the Special Teachers Are Rewarded program to spur accountability on the part of teachers for their students' performance.

The program would have allowed school districts to award the top quarter of their teachers 5 to 10 percent bonuses that were tied to their students' Florida Comprehensive Assessment Test scores.

Teachers' unions balked, however, as did school districts, and state legislators scrapped the plan in favor of another — the Merit Award Program that would give school districts more flexibility.

School districts are to submit their merit pay proposals to the state by Oct. 1, but indications are that the districts will once again refuse to submit proposals, according to the newspaper.

"With the possibility of budget rollbacks, that money should be used to fund what we need in the classroom," **Pat Barber**, president of the Manatee County teachers' union, told the newspaper.

A recent **University of Florida** study reported that merit pay incentives had a stronger effect on test scores than other methods used, including smaller class sizes and attendance requirements, the newspaper reported.

## Upcoming Events

### AASA to release report on superintendents

The **American Association of School Administrators' Center for System Leadership** will release a study on the condition of school system leadership nationwide.

*The State of the American School Superintendency: A Mid-Decade Study* will be a definitive examination, based on a representative sample of school system superintendents nationwide.

Monday, AASA will release the study at its headquarters in Arlington, Va. Three distinguished speakers will discuss the report: **Paul Houston**, AASA executive director; **Randall Collins**, AASA president-elect and superintendent of schools in Waterford, Conn.; and **Jerry Weast**, superintendent of schools in Montgomery County, Md.

The new report reveals that more women are becoming superintendents of the nation's school systems and that, in general, superintendents are committed to their students, have a good relationship with their school boards, and find their jobs rewarding, AASA said.

## Legal Brief

### District must pay \$182,100 for compensatory services

**Case name:** *Heather D. v. Northampton Area Sch. Dist.*, 48 IDELR 67 (E.D. Pa. 2007).

**Ruling:** A Pennsylvania district will have to pay \$182,100 to the parents of an 18-year-old student with multiple disabilities to compensate them for special education services the student should have received starting in elementary school. The **U.S. District Court, Eastern District of Pennsylvania** concluded that the one-year statute of limitations identified in a state court case did not bar the parents from seeking relief for earlier denials of FAPE.

**What it means:** Pennsylvania LEAs are in a unique position with regard to compensatory education claims. In *Montour Sch. Dist. v. S.T.*, 37 IDELR 93 (Pa. Commw. Ct. 2002), the **Pennsylvania Commonwealth Court** ruled that parents have only one year (or two years if they can demonstrate mitigating circumstances) to seek compensatory education for a denial of FAPE. Although the decision has created some conflict between state and federal courts as to the timeliness of compensatory education claims, IDEA 2004's express provision of a two-year statute of limitations resolves the issue.

**Summary:** Concluding that an 18-year-old student with multiple disabilities was denied FAPE since her first-grade year, the court granted her parents' request to increase the amount of compensatory education awarded by an appellate panel.

The court disagreed with an appellate panel's finding that statute of limitations established in *Montour*, 37 IDELR 93, did not allow the parents to seek relief for FAPE violations that occurred before the student's fourth-grade year. Not only had the court uniformly disapproved of *Montour*, U.S. District Judge **Ronald L. Buckwalter** observed, but the evidence clearly showed that the student's special education needs in first grade should have been obvious.

Using the 10-hour-per-week figure established by the appellate panel, the court concluded that the student was entitled to an additional 780 hours of compensatory education for services she did not receive in first, second and third grades. The court awarded the parents \$182,100, representing a total of 2,428 hours of compensatory education at a rate of \$75 an hour.

## Bits & Pieces



### Fast Facts from the NCES:

✓ Long-term trends in reading achievement show improvements for the country's 9- and 13-year-old students between 1971 and 2004. Seventeen-year-olds scored about the same in 2004 as in 1971. There was no measurable difference in the gender gaps favoring female 13- and 17-year-olds in 2004 compared to 1971.