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NATIONAL NEWS

- 1) [Does Administration's New Accountability System Overstep Legal Bounds?](#); Mooney – New Jersey Spotlight
- 2) [Opinion: Why We Need to Foster Innovation](#); Wang – Education Week
- 3) [States Strengthening Teacher Evaluation Standards](#); Staff – Associated Press

STATE NEWS

- 4) [Connecticut: Contract Yields New Teacher-Evaluation System](#); Sawchuk – Education Week
- 5) [New Audit Request Made for Colorado Virtual Schools](#); Malone – Pueblo Chieftain
- 6) [Rules for online classes rescinded by Oklahoma state Board of Education](#); Rolland – Oklahoman
- 7) [Maine Governor LePage reiterates education overhaul to improve business growth](#); Mistler – Sun Journal

NATIONAL NEWS

Does Administration's New Accountability System Overstep Legal Bounds?

New Jersey Spotlight

By: John Mooney

November 18, 2011

<http://www.njspotlight.com/stories/11/1117/2359/>

Christie and Cerf say they can close schools and withhold funds, some legal experts are not so sure.

The Christie administration's argument for its powers to unilaterally order the overhaul of lower-performing schools comes about 30 pages into its 365-page application for a waiver from the federal No Child Left Behind Act.

"If any such district refuses to implement a plan, either in whole or in part, the [administration] will make use of its far-reaching statutory and regulatory powers under state law to compel action," reads the application.

And as the application lists, much of that power does exist under state law, as well as court precedent connected with the landmark Abbott v. Burke school equity case.

Under one statute, the state can direct expenditures so that they are spent "effectively and efficiently." Another says it can "take any affirmative action as is necessary," including restructuring programs and curriculum and the reassignment of staff.

But two days after the administration joined in 10 other states in filing for the federal waiver and the right to launch new accountability systems for public schools, the debate has surfaced as to just how far that language carries the state, legally and politically.

Gov. Chris Christie and acting education commissioner Chris Cerf on Wednesday outlined the new accountability system that would demand changes in more than 200 schools with either low achievement or wide achievement gaps. And they said they would consider withholding federal and state aid from schools that refuse to make ordered changes. Part of the plan submitted would include closing a low performing school outright, they said.

But some longtime legal observers -- and oftentimes critics of the administration -- said such actions are not quite so clearcut in the current law, and Christie and Cerf may be stretching the boundaries.

"Consistent with state law, they can go in and direct districts to take particular actions," said David Sciarra, director of the Education Law Center that has spearheaded the Abbott litigation. "All of that, they clearly have the authority to do.

"But nothing that I am aware of allows them to close existing schools," he said. "And they have no power to withhold funds. That's even outside the scope of the federal guidelines."

Paul Tractenberg, a Rutgers Law School professor and noted expert on education law, said he also questioned whether the application's reform plans ran counter to the state's current school-monitoring system, the Quality Single Accountability Continuum (QSAC).

"As a constitutional matter, it is pretty clear the commissioner has whatever power he needs to ensure a thorough and efficient education," he said. "But that's different than saying if there is a legislation out there, he can just ignore it."

In terms of significant alterations such as reassigning staff or directing changes in collective bargaining, Tractenberg said, "there are all kinds of big-time issues about their legal authority to do that."

But Cerf yesterday stood by the application's arguments and said that an administration review of the law and court precedent confirmed his wide powers, including the ability to close schools outright.

"That is based on a careful review of the law and confirmation of legal authorities that there is a precedence for this," he said.

He said the same for the ability to withhold funds, or at least place strict conditions on their use. "It's almost the same thing," he said.

Cerf said that in some ways the new accountability system could run parallel to QSAC, which he pointed out is for district accountability, not school by school. "In what is a fundamental shift, this new system is not focused on districts but on individual schools," he said.

But the commissioner stressed the state's intention is not to order changes unilaterally, without a district's input and cooperation.

"I don't see this as an invitation to conflict," he said. "I think a lot of them will be open to these changes."

Still, the tension between state and local control in New Jersey is nothing new, and both the legal critics and some local school leaders yesterday were cautious about the extent of the state's authority politically as well.

Elisabeth Ginsburg, president of the Glen Ridge Board of Education, has been an outspoken leader among suburban schools, and she said the new accountability system follows a trend in this administration.

"I don't think there is any argument that we need reforms, but I'm not sure it is with a top-down approach that is without community support and accountability," she said.

Citing new teacher evaluation systems that would be dictated by the state as well, she said: "We are moving to a situation where there is a lot of power in the hands of individuals over whom the local voters have little political control."

[\(Back to top\)](#)

Opinion: Why We Need to Foster Innovation

Education Week

By: Phoenix M. Wang

November 2011

<http://www.edweek.org/ew/articles/2011/11/09/11wang.h31.html?tkn=VPSFXauEYN6fuLfjwEZVqu%2FsoSc1in1t%2B%2B2&cmp=clp-edweek>

This fall at NBC's Education Nation summit in New York, a pair of young entrepreneurs from Southern California competed in the Innovation Challenge with [Truant Today](#), a new text-messaging service that informs parents of students' attendance records in real time. They didn't win the competition, but they might as well have. The audience gasped in wonder when Tom Brokaw revealed that they were still in high school. When the two teenagers were asked why they founded the company, the pair simply shrugged and said, "It's a problem, and we know how to solve it."

And consider these examples from elsewhere in the country: Two sophomores from the University of Texas at Austin realized that their friends were mostly using Facebook to ask each other homework questions, so they launched a more efficient study-group service this summer called [Hoot.me](#). Frustrated by his school's professional-development options, a Teach For America alumnus in St. Louis built [Edthema](#), a video-based professional-learning platform. In Indianapolis, a 20-something entrepreneur wanted to know if he could persuade his sister to become an active reader, so he created [Pocket Tales](#), a social-reading game platform for which he recently won Houghton Mifflin Harcourt's Global Education Challenge.

The national call to action to reform and invest in K-12 education has taken on a grassroots dimension. Young innovators are participating in the sector's transformation in the way they know how: by solving problems that are immediate and relevant to them and to their communities. And they are doing it with the technologies and tools they know. They don't wait for someone else to tell them what to do. They build it. They don't strive for perfection, only iterations toward a vision of what is possible. They are optimistic, tenacious, and resourceful.

They have help, of course. Online do-it-yourself websites—Codecademy, Lynda, and Quora—offer easy-to-learn options for how to code, design, or troubleshoot technical projects. Technical infrastructure, such as Web-hosting services, now costs less than a latte a day. Distributed networks of creative freelancers, such as 99Designs and eLance, connect pipelines of flexible, on-demand human capital. The convergence of these lower-cost tools and resources has enabled innovators to move from idea to product relatively quickly. Many, but not all, aspire to be edu-tech entrepreneurs.

Certainly the conditions are ripe. The recent acquisitions of education technology companies, such as Wireless Generation and Schoolnet, have attracted investors to the sector who are actively mining for the Next Big Thing. The emergence of edu-tech startup communities—including my organization Start!; Imagine K12; and Startup Weekend—offers young innovators places to hone their product ideas and business skills. Media companies and organizations, such as NBC, the New York Times Co., and Austin's South by Southwest festival, compete to showcase these talents in front of national audiences. And in January of this year, President Barack Obama launched [Startup America](#), which added momentum to the movement.

It would be easy to dismiss the ideas of these young innovators. Their solutions might seem insignificant given the scale of the problems that we face in education. We are used to a research-and-development model that costs million of dollars and years to build. We expect technology to address multiple aspects of education reform, and all at once. In contrast, these products, built in months, seem too lightweight, and the innovators seem too inexperienced to tackle gnarly, systemic problems. But we might be missing the point.

Likely these innovators' successes and failures will create fertile ground for the eventual transformation of the sector. Their small innovations contribute to an environment in which the next breakthrough will become possible. They may or may not uncover the Next Big Thing in education, but their ideas are essential to the evolutionary nature of innovation.

In the August issue of *Wired*, Clive Thompson [wrote about](#) the "long nose" theory of innovation: "... [P]aradigm-busting innovations are easy to see coming because they're already lying there, close at hand. ... Big ideas poke their noses into the world very slowly, easing gradually into view." Before Khan Academy could exist, we needed the familiarity and infrastructure provided by video-sharing sites like YouTube and the widespread sharing of open educational content. Before the children's book *Olivia* landed on the iPad, we experienced Leapfrog interactive books and a decade's worth of online children's media. Neither example solves big, systemic problems at this moment; however, both are likely necessary to spark other digital-learning innovations in the near future. Innovations that will seem fresh, yet are familiar.

For this evolution of edu-tech innovations to have the transformative effect that we expect, we must guide the process and make the best use of it. We can experiment by testing and giving innovators feedback about what is useful and what isn't. We can cross-pollinate by connecting innovators with others working on similar problems. We can invest by contributing our time, resources, social capital, and brainpower to help them get to the next level.

In the late 1990s, a real estate developer met a pair of young men with an idea for an edu-tech venture. The idea didn't sound great in the first go-around. But when the pair returned with a better idea, he got involved. That idea became [Wireless Generation](#). In recalling the encounter, the angel investor mused that as someone who had no direct experience in education, he simply saw something interesting, acted on instinct, and caught the right opportunity.

It may be too early to tell where these innovations will lead us. But we need these young innovators as much as they need us in shaping the future of learning and ensuring the sector's vibrancy. Not all of us can or will aspire to innovate like them, but we could still participate in the innovation process. To paraphrase a slogan from the U.S. Department of Homeland Security's public awareness campaign: If you see something, *do* something.

Phoenix M. Wang is the co-founder and managing director of [Start!](#), a nonprofit organization dedicated to stimulating and accelerating new digital media and learning products. It is located in New York City.

[\(Back to top\)](#)

States Strengthening Teacher Evaluation Standards

Associated Press

By: Staff

November 18, 2011

http://www.nytimes.com/aponline/2011/11/18/us/politics/AP-US-Teacher-Evaluations.html?_r=3&scp=1&sq=jersey&st=nyt

WASHINGTON (AP) — Teachers and principals' own report cards are getting a lot more attention.

The way educators are evaluated is changing across the country, with a switch from routine "satisfactory" ratings to actual proof that students are learning.

President Barack Obama's recent use of executive authority to revise the [No Child Left Behind](#) education law is one of several factors driving a trend toward using student test scores, classroom observation and potentially even input from students, among other measures, to determine just how effective educators are. A growing number of states are using these evaluations to decide critical issues such as pay, tenure, firings and the awarding of teaching licenses.

Two years ago, only four states used student achievement as a predominant influence in how teacher performance is assessed. Today, the number is 13, according to a recent report from the National Council on Teacher Quality. Ten other states count student achievement in a lesser but still significant way in teacher evaluations. In 19 states and the District of Columbia, teachers can be fired based on the results, the report said.

Even more changes are anticipated in coming months.

Obama said in September that states wanting relief from the Bush-era No Child Left Behind law could apply for a waiver from the law's tough-to-meet requirements for student achievement in reading and math. To get a waiver, one thing states must do is come up with ways to use teacher and principal evaluations to make personnel decisions.

This week, 11 states applied for waivers, and an additional 28 states, the District of Columbia and Puerto Rico say they will be seeking waivers, too.

In addition to Obama's waivers, a major driver has been the administration's high-profile "Race to the Top" competition, which had states competing for billions in prize dollars if they adopted stronger evaluation systems. Sandi Jacobs, vice president of the National Council on Teacher Quality, said another factor is a growing body of research showing that teachers matter in how much students learn and an influential 2009 report by the New Teacher Project revealing that fewer than 1 percent of teachers surveyed receive unsatisfactory ratings — even in failing schools.

Historically, states have considered teacher evaluations to be untouchable, in part because of teachers unions.

"Once states started to see from other states that you could move this, the ball has continued to roll," Jacobs said.

States are using a combination of measures to evaluate educators. For example, in Minnesota, evaluation systems under development for teachers and principals will include feedback from superiors, fellow educators and parents. Thirty-five percent of a teacher's evaluation will be based on student test scores, but teachers will also be able to present a portfolio showing professional growth that includes student work and classroom video.

Some states, such as Georgia and Massachusetts, are testing or considering the limited use of student input. A study by the Bill & Melinda Gates Foundation found the average student can tell who is an effective teacher. It said students' feedback is more specific and useful to teachers than scores or tests alone.

Those opposed to linking test scores to evaluations say standardized tests are limited and don't necessarily reflect what's taught in the classroom. They say student performance can be affected by variables outside a teacher's control like a child coming from an abusive home, transferring midyear or being behind because a previous teacher didn't teach properly.

In recent years, however, the American Federation of Teachers and the National Education Association unions have warmed to the idea of teacher evaluations based on student performance, with some caveats. In July, delegates to the NEA's national convention voted in support of a policy statement that called for a comprehensive overhaul of teacher evaluations. The AFT has worked for two years with dozens of districts to help develop such systems, said AFT president Randi Weingarten.

But the unions want evaluations developed at the local level with input from teachers and little reliance on test scores. In too many places, Weingarten said, systems are being rolled out too fast with serious implications for educators.

She said that has happened in the District of Columbia and Tennessee, though advocates of tougher evaluation systems have held both up for praise.

This year, Tennessee implemented a new system that has teachers rated every year and observed multiple times a year. Thirty-five percent of a teacher's evaluation is based on student growth on the state standardized test over time. Weingarten said the system has put the focus on test scores instead of learning and that there have been too many bureaucratic hurdles.

"Teachers are not nervous about taking responsibility," Weingarten said. "What they are nervous about is that all of this is being done to them, without them ... in so many places (not) having any voice in it whatsoever, and it's about thwarting and firing as opposed to about helping to improve instruction."

In the District of Columbia, controversial former Chancellor Michelle Rhee adopted a teacher evaluation system in part based on student performance, and teachers were among hundreds of school employees laid off under the new evaluation system. Some teachers like the recognition and pay increases in the system, but her policies played a role in the defeat of Mayor Adrian Fenty for re-election.

As states develop new methods of rating teachers, challenges include training school districts to use the new systems and finding ways to evaluate teachers of subjects that don't have standardized tests, said Janice Poda of the Council of Chief State School Officers.

To ease growing pains, some states like New Jersey, which asked the Obama administration this week for a waiver from No Child Left Behind, have opted to try evaluation systems in only a limited number of school districts before going statewide.

Among the 11 states that asked for waivers this week, much of what was included on teacher and principal evaluations was preliminary but already in the works. As other states submit applications, more changes in evaluations are expected.

"I absolutely think it's important for teachers to get feedback about their practice," said Poda, the council's strategic initiative director for the education workforce.

"I think all teachers should be on some kind of a continuous growth plan so that they can always be learning new things and improving their practice, and I think that's true for leaders as well," Poda said.

[\(Back to top\)](#)

Connecticut: Contract Yields New Teacher-Evaluation System

Education Week

By: Stephen Sawchuk

[http://www.edweek.org/ew/articles/2011/11/16/12collab-newhaven.h31.html?](http://www.edweek.org/ew/articles/2011/11/16/12collab-newhaven.h31.html?tkn=SMWFsMFDfscrmPC32LBbv33rxGK2law3hGPV&cmp=clp-edweek&intc=EW-LM1111-EWH)

[kfn=SMWFsMFDfscrmPC32LBbv33rxGK2law3hGPV&cmp=clp-edweek&intc=EW-LM1111-EWH](http://www.edweek.org/ew/articles/2011/11/16/12collab-newhaven.h31.html?tkn=SMWFsMFDfscrmPC32LBbv33rxGK2law3hGPV&cmp=clp-edweek&intc=EW-LM1111-EWH)

Partnership yields revised evaluation system in New Haven

New Haven, Conn. – When Melissa Rhone returns to her 4th grade classroom in the Brennan-Rogers School after a brief interruption, her students greet her jubilantly.

"Ms. Rhone, look how many compliments we got!" they say, pointing to eight lines ticked on the whiteboard by a substitute teacher, each one representing an instance of good classroom behavior.

The ticks mean even more to Ms. Rhone: They're evidence of her growth and success as a teacher.

Last November, she received a preliminary rating of 1, the lowest level, on the district's new teacher-evaluation system, primarily because of classroom-management issues that sprang up after a co-teacher quit early on in the school year.

But over the course of the school year, with support from instructional coaches, her principal, her husband, and some hard work, Ms. Rhone improved her performance to a 3—a good rating on the 5-point scale.

"I think maybe I used the fact that the co-teacher had left as a crutch," Ms. Rhone said. "Getting that 1 was the reality check I needed. I couldn't float by, not getting things in order."

Outlined in a [new contract in 2009](#), delineated in the 2009-10 school year, and implemented in 2010-11, TEVAL, as the system is known, requires at least three "professional conferences" between an instructional leader performing classroom observations and each teacher. The conferences help to home in on areas on strength and weakness and provide a path for improvement. The system also integrates student-achievement results.

TEVAL is only part of the district's three-pronged improvement efforts, but it's emblematic of New Haven's commitment to reform in partnership with its teachers' union.

The [first data](#) from the system were released this year. Of the system's 1,850 teachers, 73 percent scored in the top three categories. Seventy-five teachers had scores that put their jobs in jeopardy. Thirty-four of those teachers ultimately resigned, including 16 who had tenure; others, like Ms. Rhone, improved enough to keep their jobs.

"I expected a lot of crying and weeping and [teachers saying], 'Let's give this person another chance,'" said Superintendent Reggie Mayo about the first year of results. "But the union was pretty adamant that there was no place for incompetence in New Haven."

Of the changes in the 20,000-student district, the president of the New Haven Federation of Teachers, David Cicarella, said simply: "It needed to be done, and it was the right time to do it."

"The public was upset about things in New Haven," he continued. "We had to deal with the problem of ineffective teachers, of poor instruction."

Indeed, the year-end data from TEVAL reveal what many educators find to be the best part of the system: professional learning that facilitates better teaching.

Rebecca Gratz, a high school history teacher at the Sound School Regional Vocational Aquacultural Center, is one of the "instructional managers" permitted to perform observations under the system—a category that includes principals, assistant principals, and some teacher leaders.

TEVAL, she said, has "created a structure for having really rich conversations about teaching and learning."

Mr. Mayo and Mr. Cicarella had a cordial working relationship before the contract, but they agree it wasn't particularly close knit. The rapport that led to TEVAL and other district reforms crystallized, like a diamond, only under the right combination of heat and pressure.

Those elements came largely from the city's mayor, John DeStefano Jr., who had begun in mid-2008 to prod the district to consider several initiatives.

Among the ideas he circulated were a school-rating system, a metric for teacher performance, and the expansion of a "portfolio" approach to school management.

Using a new contract as the basis for advancing those reforms wasn't the first stop on the train, though. Initially, Mr. DeStefano sought state legislation that would permit the three schools to be reconstituted—and potentially staffed with nonunion teachers. "My initial thought was that we didn't need to change the whole system," he said in an interview at City Hall.

Though some lawmakers initially seemed receptive, the mayor recalled entering a second meeting with legislators in Hartford, and coming face-to-face with the legislative director of aft Connecticut, which had some serious concerns about that proposal. "You walked into the room and understood the reality," Mr. DeStefano said.

Lawmakers encouraged the district and union to work out something on their own. Ultimately, the district hired a mediator from a Chicago law firm specializing in labor issues, as it considered negotiating for changes directly with the New Haven Federation of Teachers.

Teasing Out Policy

Union leaders, too, were interested in a third way forward.

American Federation of Teachers President Randi Weingarten had promised in the fall of 2008 that her union's affiliates would consider anything except vouchers in education reform—only to watch the District of Columbia chapter become mired in a contract dispute over tenure and compensation proposals. New Haven offered a tantalizing opportunity to start afresh.

Mr. Cicarella also wanted to advance changes to the teaching profession—and despite a looming internal union election, was willing to challenge his membership to think differently.

"I did not come [to union leadership] to do the status quo," he said. "Look, there will always be people calling about their prep period or their lunch period. But I wanted to do something different, and this was it."

One of the earliest breakthroughs between district and union: Separating the negotiation of the policy changes from bread-and-butter issues like wage increases.

"Quite frankly, those issues are easy. Whether we get 4 percent, 5 percent, no one's life changes because of it," Mr. Cicarella said. "We put it aside; we had a negotiating committee do that," while a separate team worked out the details of the reforms.

The completed collective bargaining agreement, ratified in October 2009, committed to establishing three categories of schools, with the bottom tier eligible to be operated by outside parties but still subject to the contract; a new teacher-evaluation system; and a plan to conduct annual surveys to gauge teachers' perceptions of the school climate and atmosphere. Many of the details were to be filled in by committees of teachers, administrators, and parents.

Approved overwhelmingly by the teaching force, the contract received generally favorable reviews from pundits, a commendation from U.S. Secretary of Education Arne Duncan, and write-ups in major newspapers, among them *Education Week*.

It was met with skepticism in other quarters, though. To some observers, leaving so many aspects of the reform plans open-ended looked an awful lot like kicking the can down the road.

"We knew we did not want every single detail of the evaluation in the contract. What a nightmare—you would never get anything done," said Joan Devlin, a senior associate director of educational issues at aft appointed by Ms. Weingarten to aid contract negotiations.

But as a consequence of that decision, Ms. Devlin added, "people assumed that this was just a joke, that we were punting it to a committee."

Scrutinizing Principals

The process of putting meat on the contractual skeleton was not an easy one, officials acknowledged.

"What was important was a commitment that the system was set up for the development of all staff. That was easy," said Garth Harries, an assistant superintendent brought on board to help oversee the reform committees' work. "The hard part was building a system that met that goal, was developmental and thoughtful, but also consequential."

Growing trust on both sides, plus a degree of pragmatism, helped get the parties to the finish line.

For instance, though teachers were very concerned about the use of test scores in evaluations, Mr. Cicarella decided that opposing that element in the system would not be productive.

"I said to everyone, 'Forget it, that ship has sailed, we're not pushing that back,' " he recalled. Instead, he pushed the parties to "make sure it's done properly."

Another important piece came from the district agreeing to a top-to-bottom review of performance, including principals and administrators. That element was driven partly in response to a perception, at least among the teaching force, that some of the system's principals owed their jobs to patronage rather than talent.

Commonly held education archetypes, like the image of an aggressive, dictatorial principal, can interfere with teachers' ability to trust an evaluation system, Mr. Harries said. "We had to include a process for addressing those issues."

The finalized teacher-evaluation system contains several checks and balances. One unique feature requires the assignment of a jointly selected third-party "validator" to observe, along with the instructional manager, those teachers identified by November of each year as on track to receive the highest or lowest rating.

Teachers in jeopardy of getting the lowest rating, under which they can be dismissed, get an improvement plan and supports, such as coaching provided by building-level reading and math coaches, in addition to district-offered professional development.

After a full year of planning, during which district and union leaders alike met with the staff at each school to explain the complex system, the district—in an unusual move—put it into full-scale operation in the 2010-11 school year.

Though many teachers wanted a pilot, doing so risked sending the wrong message, Mr. Cicarella noted. "The public would have said we were stalling."

Coach and Boss

Educators say that the power of the system lies in its ability to spur conversations about professional practice.

"There's nothing [in the evaluation framework] teachers don't aspire to or can't improve upon," said Daniel Wajnowski, a second-year English teacher at Cooperative Arts & Humanities High School, or Co-op, who attributes improvements in his ability to engage students in group work to the conversations he had with his principal, Frank Costanzo.

A challenge of performing the reviews, said Mr. Costanzo, is balancing the coaching role of supporting teachers with the understanding that a failure to improve brings consequences.

"The most important challenge was getting that 'needs improvement' teacher to believe in me as an instructional manager, someone who is really a coach, when you are also an evaluator, and termination is at the far end of the line," he said.

The student-achievement component of the system, though not popular with all teachers, has won some supporters. Each teacher, in consultation with his or her principal, sets two goals for student achievement and identifies assessments to measure progress toward those goals.

"You've got to look more honestly at each kid in your room and to ask yourself if you're really reaching every child," said John Laub, a data coordinator and history teacher at Coop. "The data allows you to look at it objectively."

Karen Lott, the principal at Brennan-Rogers, says it also helps her track how each teacher is contributing to the overall school's progress.

Leaders are aware that the evaluation system can still be improved. The strength of the student-achievement goal-setting, as well as the quality of instructional conferences, varied somewhat by school and leadership capacity, they note.

"There are schools where it has been less thorough, or the process less developmental," said Mr. Harries, the assistant superintendent. "Those are the schools we're focusing on."

And the three professional conferences also take up a lot of time. "I don't think anyone disputes how valuable the process is, but it is time-consuming," Ms. Lott said.

Ms. Rhone, the 4th grade teacher at Brennan-Rogers, believes that the district could improve the support system for those teachers scoring in the middle range. Colleagues who scored between a 2 and 4 were sometimes unclear about what those ratings meant, she said.

TEVAL also has room to grow for teachers who earn the highest scores. Those teachers are supposed to take on additional roles in their buildings mentoring their peers, developing curricula, and contributing to the culture of learning, though the exact avenues for doing those tasks haven't quite been worked out yet.

"I think over time it will create more opportunities," said Ms. Gratz of the Sound School. "In year two [of implementation], it's hard to say."

Playing All Innings

As efforts in New Haven mature, Mr. Mayo and Mr. Cicarella have agreed to keep the lines open, even when they have disagreements.

"I've said to my members, there's two things we're not doing. We're not marching on City Hall and we're not calling the media," Mr. Cicarella said. "Some members don't like that, but my feeling is that it's counterproductive."

And while neither man is sentimental about their rapport, it has evolved to include a degree of genuine affection. "This process has really made it closer, more open, more honest," Mr. Mayo said. "David [Cicarella] is almost like an additional arm."

As for student results, it is early yet to attribute results to the changes in the district, but it hasn't stopped observers from making connections.

New Haven's scores on state tests continue to tick upwards. There are also pockets of impressive gains. Co-op High School effectively eliminated the black-white reading gap in the "reading for information" part of the state test.

Leaders are frank that gains need to accelerate across the board. Mayor DeStefano notes that last year's improvements weren't on a trajectory to meet the district's admittedly ambitious goal to close the black-white achievement gap in five years. But the strategy of collaboration makes sense and seems to be helping, he added.

"We've got a ways to go," he said. "You've got to play all nine innings."

Persistent Effort

For the future, the district plans to increase efforts in certain areas, particularly in working with community partners to provide wraparound services, boosting parental involvement, and in reinforcing a college-bound culture, notably through a scholarship program, [Promise](#), that rewards students who maintain good grades, attendance, and behavior.

As for the teacher-evaluation system, the district will focus on monitoring progress and ensuring fidelity of implementation.

Some obstacles, inevitably, loom. New Haven has traditionally struggled with principal talent, and perhaps a half-dozen principals plan to retire at the end of the year. Not all the assistant principals are ready to take their places, Mr. Cicarella opines. Superintendent Mayo acknowledges that training those individuals is a top priority.

The mayor, meanwhile, wants the culture of collaborative reform to continue to flourish.

"Persistence of effort," Mr. DeStefano said, when queried about the district's biggest challenge. "Eventually, mayors will change, superintendents will change, principals will change, union leaders will change."

"I think it is the climate of change that matters," he continued, "that it's not dependent on a group of people or an individual, that we are able to create a 'new normal' of academic excellence."

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[\(Back to top\)](#)

New Audit Request Made for Colorado Virtual Schools

Pueblo Chieftain

By: Patrick Malone

November 17, 2011

http://www.edweek.org/dd/articles/2011/11/17/13mct_coonline.h31.html

Denver – One week after state lawmakers declined to pursue an audit of online schools, a nonpartisan budget analyst recommended a review of them by the Joint Budget Committee.

"I think it's appropriate that the General Assembly continue to evaluate whether existing systems work for online schools," JBC staffer Carolyn Kampman said.

The analyst's report recommended the Legislature scrutinize per-pupil funding levels, student counts and financial reporting requirements for online schools. Citing Colorado Department of Education findings and media accounts, Kampman said student achievement and retention at online schools also deserve a closer look.

"It does appear that there's an achievement gap," Kampman said.

A five-year comparison of attendance on the Oct. 1 per-pupil-funding count date to the number of students who took Colorado Student Assessment Program achievement tests in the spring at every school district and online school in the state showed drastic disparity between the online students and their counterparts at brick-and-mortar schools.

The mobility rate that the comparison measured showed 24 percent of students were no longer present at traditional schools for the spring tests, while 68 percent vanished from online schools.

When pressed by Republicans who sat in on the budget briefing, Kampman acknowledged that the measure employed leaves many questions, such as whether some online students caught up with their peers academically and returned to traditional schools. But she said the huge disparity indicates a trend that warrants deeper inspection.

"That seems to indicate there is some difference in online programs and the rate of attrition," Kampman said.

Last week the Legislative Audit Committee rejected Senate President Brandon Shaffer's request for an audit of online schools similar in scope to the recommendations presented Wednesday to the JBC. The audit request died on a 4-4 vote with Democrats in favor and Republicans opposed.

Republicans on the audit committee instead proposed an audit of all schools in the state. They characterized the audit request as unfairly targeting one segment of the state's education system that devours far fewer resources than traditional schools do.

Kampman said about \$90 million in state funds go to online schools that serve 1.7 percent of public school students.

"It's a small amount of students, a small amount of dollars relative to the whole, but it's growing rapidly," she said.

Shaffer, D-Longmont, said partisanship should not be an obstacle to accountability for online schools.

"While we are preparing to make another round of devastating cuts to our K-12 system, there's evidence that we are hemorrhaging millions of dollars through poor oversight of online schools," he said. "This isn't a partisan issue. Our job is to be good stewards of the public trust."

[\(Back to top\)](#)

Rules for online classes rescinded by Oklahoma state Board of Education

Oklahoman

By: Megan Rolland

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http://newsok.com/rules-for-online-classes-rescinded-by-oklahoma-state-board-of-education/article/3624236?custom_click=headlines_widget

The Oklahoma Education Board rescinded emergency rules on Thursday that the board had approved last month requiring school districts to provide online supplemental classes under certain circumstances.

Following opposition from school administrators and concern from lawmakers, the [Oklahoma Education Board](#) rescinded emergency rules on Thursday that the board approved last month requiring school districts to provide online courses.

The rules were passed to come into compliance with a law that took effect in 2010. The law requires school districts to offer supplemental online courses, when requested by students or parents, for subjects that aren't offered in the schools.

"We approved those and now two and a half weeks later we decide that the rules are no good?" asked board member [Lee Baxter](#), of [Lawton](#). "Nobody understood that this was going to happen? I think it's a little embarrassing, actually."

Schools unprepared

[Board Member Phil Lakin](#) said he heard from many school districts that were concerned about the emergency rules the board had passed.

"They're affecting the school district midstream and there were not financial plans for that," Lakin said.

The board voted unanimously to rescind the emergency rules and instead wait for the formal rule-making process that begins with the legislative session in February. That process will include public input and multiple votes from the board.

"We think the rules can be improved and we think there's an opportunity for that to happen right now," said [Steven Crawford](#), executive director of the [Cooperative Council for Oklahoma School Administration](#). "We always like to start new rules with the new year."

[Sen. Gary Stanislawski, R-Tulsa](#), authored Senate Bill 2319 that created the supplemental online education law.

"I wanted to make sure that students were able to get courses that they could not get within their local school district," Stanislawski said. "For example, if a rural school did not have an Advanced Placement chemistry teacher, then I wanted to make sure that student had the right to take that class."

Stanislawski said staff members from the state Education Department did not understand his intent.

"They were not malicious at all. They did the best they could to interpret the law," Stanislawski said.

[Lisa Enders](#), legal council for the Education Department, told board members that the emergency rules were sent to both Stanislawski and the house author of the bill [Rep. Ann Coody](#), R-Lawton.

Rules are questioned

"After consultation with the senator and the authors of the bill it was determined that emergency rule making was something that should be done," Enders said. "What has transpired since then ... is there's been a lot of miscommunication about the process. I think that people don't understand that emergency rules are temporary rules."

Enders said she didn't know why the previous administration at the state Education Department had failed to write rules for the laws.

There were several parts of the emergency rules that were contested, but the most drastic required school districts to have an academic liaison to monitor student progress in online courses.

"It placed an administrative burden on the schools, an unfunded mandate if you will," Stanislawski said.

The liaisons were included in Stanislawski's first bill, he said, as a form of oversight for the virtual programs, but later legislation removed that from the law.

[\(Back to top\)](#)

STATE NEWS

Maine Governor LePage reiterates education overhaul to improve business growth

Sun Journal

By: Steve Mistler

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<http://www.sunjournal.com/news/state/2011/11/18/lepage-reiterates-education-overhaul-improve-business-growth/1117213>

AUBURN — Gov. Paul LePage's third and final job-creation forum continued a familiar refrain at Central Maine Community College on Thursday: Maine businesses have jobs. What they don't have is qualified applicants.

The governor also expounded on his remarks from a previous forum during which he suggested that municipalities with strict regulations on business could see less state assistance.

LePage raised the issue during the Bangor jobs forum, saying his administration would submit legislation next session that reduces state revenue-sharing to towns with regulations stricter than the state's. The proposal, though never officially drafted, was immediately controversial because it struck at the core of Maine's tradition of local control.

During his closing remarks at CMCC, the governor retooled the idea, saying he hoped to start a program called Business Friendly Communities within the state Department of Economic and Community Development. The program, the governor said, would essentially create incentives for towns to keep their regulations in line with the state. LePage said towns that did so would be listed and promoted by the state.

The administration did not provide additional details. The program, LePage staffers said, is still a concept.

The forum was attended by people from close to 100 businesses, which were divided into several groups that cycled into different rooms to discuss issues they believe are inhibiting business growth. Each group met with the commissioners of various state departments, including education, labor, transportation and environmental protection. Each group also met privately with LePage without the presence of the media.

After the final private session, LePage wrapped up the event, saying Maine must do a better job of educating its children to meet the needs of employers. He lamented the decline in vocational training and an education culture that appeared to discourage children from pursuing trade vocations.

"What we've said over the years is that all of our kids need to go to college," LePage said. "We've taken these other kids and sent them to special schools, tech schools. The only problem is that we've called our kids dummies if they go there because they're not the mainstream."

He added, "That was a sad, sad mistake. And now we're seeing the results."

LePage was referring to several Maine companies that have approached him saying they have available openings but few qualified prospects.

Education Commissioner Steve Bowen said the problem might not simply require structural changes in the education system, but also cultural changes.

"In the other forums, I heard a lot about the work force skills gap," Bowen said. "Today, I heard more from employers saying that employees are showing up for work in their pajamas or sweat pants."

He added, "Kids may be coming out of schools with skills and knowledge, but they may not be coming out of schools understanding what it means to have a job and to be employed."

LePage touched on the same issue during his closing remarks. The governor has taken heat from progressive groups for attempts to loosen child-labor laws, but LePage said he shouldn't be considered a "slave driver" for allowing kids to learn a trade at a young age.

"When I was 11 years old, I had two paper routes and worked at a grocery store," he said. "Thank God somebody taught me how to work because it came in real handy when I was caught on the streets, trying to make my way through life."

LePage said the latest forum was encouraging. However, he said the business community must do a better job of communicating with his administration and lawmakers.

"The business community has done a very poor job of getting in touch with us and telling us what their mission is, what their needs are," LePage said. "We've had to come out to you. I will continue to do that."

LePage noted that teachers had mobilized in Augusta to protest his reforms to their pensions. However, when it came to changing regulations that would help business, he didn't see anyone.

"Most of all, we need to work together," he said. "You have to put up with the daily press and you have to put up with the opposition. No matter what I do, as your governor, I'm going to get criticized. I'm fine with that."

He added, "But if all the energy that is being used to criticize what we're trying to do was repurposed, and put toward trying to fix problems, then I think we'd be a much better state."

Mike Luciano, the human resources manager for Verso Paper, said he was encouraged by the forums, which he called a "breath of fresh air."

Luciano's company will experience a work force shortage as a significant number of its employees reach retirement age. He said the state had to keep its young people here.

"A lot of our people get out of college and they say, 'I want to go to the big city; I want to go south,'" he said. "Four or five years later, they want to come home. We need to make sure we snag those people."

[\(Back to top\)](#)