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NATIONAL NEWS

- 1) [States Pressured to Curb Test Exemptions for Disabled Students](#); Shah – Education Week
- 2) [Public broadcasters to tackle school dropout rates](#); Staff – Associated Press
- 3) [Schools May Track Military Students' Progress](#); Sparks – Education Week

FLORIDA NEWS

- 4) [Teachers with no tenure by July 1 likely out of luck](#); Postal – Orlando Sentinel
- 5) [Florida House Tackles Education Issues as Final Week Begins](#); Derby – Sunshine State News
- 6) [Lake County schools considering four-day week](#); Balona and Rodriguez – Orlando Sentinel

STATE NEWS

- 7) [Opinion: A chance for true education reform](#); Oceguela and Smith – Las Vegas Sun
- 8) [Opinion: 'Parent trigger' limbo](#); Editorial Board – Los Angeles Times
- 9) [Collective Bargaining Bill Passes Tennessee Senate](#); Staff – Associated Press

NATIONAL NEWS

States Pressured to Curb Test Exemptions for Disabled Students

Education Week

By: Nirvi Shah

May 3, 2011

http://www.edweek.org/ew/articles/2011/05/03/30disabled_ep.h30.html?tkn=MXNFUQe8oYdBxMPaKCKmn2r1zI%2FDVriYJuS&cmp=clp-edweek

testing exemption that applies to only the 1 percent of students with the most severe disabilities, but districts that have long used that flexibility to win some breathing room in their accountability systems are bristling.

Under the federal No Child Left Behind Act, states are allowed to administer exams based on alternate standards to students with severe cognitive impairments and then count those scores toward their adequate yearly progress, or AYP, ratings—provided the number of scores counted as passing doesn't exceed 1 percent of the total number of students tested. When more than 1 percent of students take the alternate tests, states or districts must count the scores from exams that exceed the cap as failing. But, for years, the Education Department allowed a handful of states to overstep the 1 percent cap.

A cap was used—rather than a strict definition of who should qualify for alternate tests—so that school districts could use their own judgment in determining which students should take the tests, which are not intended for children with moderate disabilities, said Ricki Sabia, the associate director of the policy center for the National Down Syndrome Society, based in New York City. When originally proposed, the cap was one-half of a percent, a proportion she said some research shows is much closer to the actual share of students who might be in need of tests that may hardly resemble current standardized exams. In guidance published in 2007, the Education Department stopped allowing states overall to exceed the cap, but the department continued to let all states give districts permission to do so and count many more tests as passing without asking the federal government for permission.

That states were allowed to continue to give districts leeway on testing bothers advocates such as Ms. Sabia, who worry that kind of flexibility may become part of the Elementary and Secondary Education Act when Congress reworks the ESEA, whose current version is the No Child Left Behind law. The concern is that giving districts and states carte blanche to test some students with disabilities with exams that are too easy for some of them may deprive them of an opportunity to earn a regular diploma.

There are few hard and fast rules about exactly which students should take the alternate tests. While some students with Down syndrome, autism, and other conditions may need the alternate assessments, others with the same label may not.

"It's supposed to be a pretty small, small group," Ms. Sabia said. "We have to be very careful. Not only might [the cap] not go down, there could be a lot of pressure for it to go up."

Exceptions for States and Districts

In the early years after No Child Left Behind was signed into law in 2002, states struggled with identifying which students should take which exam. At the time, there was no middle ground, said Carlos Martinez, the group leader for standards and assessments at the Education Department. Either a student took an alternate test, which might be a collection of the student's work and not an actual test, or he or she took the standard exam.

Just four states have developed modified exams approved by the federal government to give to some students with moderate disabilities, and those states are the only ones that can use them.

There are no limits on how many students in a district can take an alternate exam; the individualized educational program, or IEP of a student with disabilities determines eligibility. The cap becomes an issue only if more than 1 percent of students in a given district take the alternate test, requiring the scores of the children who exceed that percentage to be ruled failing, which could damage a district's AYP rating.

So states began requesting permission to use more scores from alternate tests when calculating AYP, and the federal government relented. Montana, Ohio, South Dakota, and Virginia were granted exceptions; Minnesota's request was denied. [Ohio's 1 percent cap](#) was increased to 1.3 percent, an exception that lasted through the 2008-09 school year. In turn, the Ohio Department of Education allowed some districts to raise their own caps to 2.8 percent, a proportion Mr. Martinez called "stunning." That percentage translates into roughly 28 percent of all students with disabilities in a given district. Some districts had asked for 9 percent or 14 percent caps, said Jeanine Molock, Ohio's director of accountability, though those requests weren't granted.

"It's not getting away with something or trying to avoid the accountability consequences," Ms. Molock said of the exceptions made for some districts. "We wanted to give the field the time to evaluate their students. During that transition, when the feds allowed flexibility, we were going to request it on behalf of our districts."

She said it was especially important in small districts where 1 percent of students might be a very small number, and even one or two students' failing test scores could mean a lower AYP rating.

Now, the state is offering even those small districts [less flexibility](#)—in some cases, much to their dismay.

The shift, which occurred last school year, is in part because of questions raised by the federal Education Department about Ohio's practices.

"[The federal department's] position was always, we needed to notify districts that we need to bring this number down," Ms. Molock said. Now, Ohio districts with fewer than 1,000 students can count no more than 10 students' exams as passing when calculating AYP, and larger districts may count up to 1 percent of their enrollment.

In Ohio's 1,500-student Beachwood city school system, the superintendent is adamant that limiting the number of passing alternate-assessment scores will harm the district's performance rating in the future.

"Next year, I have been told that we will have 19 students who qualify for the alternate assessment, thus exceeding the cap by nine," Superintendent Richard A. Markwardt said. "That will have a significant effect on our performance index and probably AYP as well."

He said his district's high-quality program for children with significant cognitive disabilities is turning into a liability, and he finds it insulting to those students that some of their scores are automatically considered failing no matter how they do.

"I feel strongly that Ohio's current practice is an affront to students exhibiting severe cognitive disabilities," he said.

"Furthermore, it damages the reputation of districts that educate large numbers of such students by lowering district report-card scores and thereby jeopardizing local support for the schools."

Ms. Molock said it's difficult to tie a lower district rating to just this one part of the formula for calculating those ratings, however, because the formula has so many components, and some of them change from year to year.

The federal crackdown on granting exceptions to states, which in turn has required states to be less generous with districts, was purposeful, Mr. Martinez said. "While exceptions were allowed during the earlier years of NCLB, it's become rarer and rarer," he said. "Through training and experience states have learned to better classify students."

In Virginia, which was [once granted](#) a statewide cap of 1.13 percent, the state hasn't made a request to exceed the statewide 1 percent cap in recent years, said Douglas Cox, the state's assistant superintendent for special education and student services. Districts that request an exception must meet strict criteria, said Susan Clare, an instructional specialist with the Virginia Department of Education. They include having 15 or fewer students taking alternate tests in the first place, provided that the number is less than 2 percent of district enrollment and the district has fewer than 1,500 students, among other factors.

Virginia, like Ohio, also makes exceptions for districts with special programs for students with significant cognitive disabilities that might result in an unnaturally high number of those children concentrated in one place.

But Ms. Sabia, of the National Down Syndrome Society Policy Center, takes issue with that approach.

"You shouldn't have all those kids unnaturally going to school all in one place anyway," she said.

A Good Problem to Have

With so much riding on the alternate tests, including whether students who take them can graduate with a standard diploma, there's a more basic question at hand, said Kim S. Hymes, the director of policy and advocacy for the Council for Exceptional Children, based in Arlington, Va.

"All of this goes to the direct issue of we need better assessments," she said.

Those are in the works. The federal Education Department has awarded grants to two groups working on a new alternate assessment that could be used in many states, rather than having each state or district invent its own.

But those groups are separate from the pair of consortia developing tests—aligned with the Common Core State Standards Initiative—for the other 99 percent of students, who include many students with disabilities. Some of those students, whose disabilities are less severe, currently take a modified version of standardized tests. Those modified tests have raised questions as well, including how to identify which students should take them, and how to deal with the fact that not every state has such an exam.

When the new common-core assessments are developed, with a number of adaptations for students with disabilities built in, those modified exams are expected to be unnecessary. The Council for Exceptional Children and other advocacy groups wanted exams for all students with disabilities, no matter how severe, to be developed by the same organizations.

"Have we learned nothing from the current system we're in?" Ms. Hymes said, referring to the patchwork of tests with varying levels of difficulty, standards, and depth offered across the country now.

But having to even address the difficulties of testing students with significant cognitive disabilities is a huge milestone, said Katy

Neas, the vice president of government relations for Easter Seals, a Chicago-based nonprofit organization that provides a variety of services for people with disabilities.

"One of the good things about all of this is it has forced the assumption that all kids should get the benefit of trying to achieve on content-level standards," Ms. Neas said. "These kids typically have been held to extremely low expectations. Before NCLB, we would never even have been able to have the data. It gives us the basis for the conversation, to go back to say, Ohio, and say, 'Is that really appropriate for all of these kids?'"

"If what will get us there is this initial conversation," she said, "that's a whole lot better than where we were a decade ago."

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

Public broadcasters to tackle school dropout rates

Associated Press

By: Staff

May 3, 2011

<http://online.wsj.com/article/APca232c0138a74632a4ad5fa7293b4e01.html>

WASHINGTON — The Corporation for Public Broadcasting is partnering with the Bill and Melinda Gates Foundation and America's Promise Alliance on a new effort to combat the nation's high school dropout rate.

Under the American Graduate initiative announced Tuesday, public broadcasters will expand beyond early childhood education to reach students in middle school. The group says it's a critical time before more than one million students drop out of high school each year.

The nonprofit CPB is the primary channel for federal funds directed to local stations. It will initially grant \$4.4 million to 20 markets. The Gates Foundation will add \$800,000. It will fund teacher town halls, tutoring programs and broadcasts about the dropout issue.

Celebrities Hill Harper of "CSI:NY" and America Ferrera of "Ugly Betty" are joining the effort.

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

Schools May Track Military Students' Progress

Education Week

By: Sarah D. Sparks

May 3, 2011

<http://www.edweek.org/ew/articles/2011/05/03/30military.h30.html?tkn=RQSFJWe%2BPYpARv3oHQGCAEu3g8%2BG4jdSI0u%2F&cmp=clp-edweek>

The increased federal focus on military children may lead to more detailed tracking of how they fare academically in schools located off base.

As part of a joint tour promoting military families, first lady Michelle Obama and Jill Biden, a community college instructor and the wife of Vice President Joe Biden, are calling for more targeted support services for military students and better access to rigorous curricula. Yet a recent report from the U.S. Government Accountability Office suggests it may be hard to identify and serve highly mobile military students.

The GAO [reported](#) in March that the inability to track military students' progress made it difficult to evaluate the effectiveness of the \$1.3 billion federal Impact Aid grant program. The main grants compensate school districts for property tax lost due to the presence of federal property, such as a military base, in their taxing districts. Schools in which 20 percent or more of the students come from military families get supplemental grants from the U.S. Department of Defense. These Impact Aid grants are among the most flexible federal grants, and can be used for anything deemed to support the students, from teacher salaries to a new heating system.

Yet in the study of 118 of the 154 Impact Aid schools with high concentrations of military students, GAO researchers led by George A. Scott, the director of education, workforce, and income security issues for the office, found that fewer than 20 percent of the districts surveyed separately tracked their spending to support military students, and none tracked how military students as a group fared at their schools.

"The department shares the concern ... that some military children may struggle academically as a result of varied academic standards from state to state and a lack of connection to the school community resulting from their mobility," wrote James H. Shelton, III, the U.S. Department of Education's assistant deputy secretary for innovation and improvement, in responding to the GAO report.

In the next iteration of the Elementary and Secondary Education Act, the Education Department has proposed to require schools, districts, and states to report the achievement of military students, Mr. Shelton said. The Department of Defense tracks the achievement of students in its 194 schools on military bases around the world, but the majority of children of service members and civilian Defense Department employees attend regular district schools.

Like data reported by gender or migrant status, military student achievement would be reported publicly, but it would not be used to calculate a school's adequate yearly progress under ESEA. Creating a military-student group would allow educators to identify where military students have the most academic problems and why and target services to them.

Hidden Students

As a group, America's 1.1 million students from military families can look a lot like other vulnerable student populations, with

high mobility leading to academic struggles or anxiety over a missing parent and financial instability leading to emotional problems. Unlike other student groups, military students' struggles may be harder to see in district schools, because schools are not required to report them separately.

"We've got a lot of anecdotal info on how military students do in academics, but since they're not included as a separate group, there's really no way of knowing," said David Splitek, the vice president for programs and services for the Military Child Education Coalition in Harker Heights, Texas, a national nonprofit that provides educational information and support for military families.

For example, he noted that most education research on highly mobile students focuses on children whose families are moving for economic reasons, often within the same school district. In contrast, students in military families move as their parents receive new assignments, often to different states.

"The longer the parent stays in the service, the older kids get, and the more they're going to move. By the time they are in high school, they probably have six or seven moves under their belts," Mr. Splitek said. "When I was a superintendent at a school with 100 percent military kids, we had kids who were coming to us as their 12th school, when they were seniors."

Interviews with school officials bore out those concerns in the GAO report: 80 percent reported "moderate" or "extreme" academic problems caused by differences in curricula among districts or states, and more than half reported students of military families had behavior problems and seemed disconnected to the school because of their frequent moves. A recent study by the RAND Corp.'s Arroyo Center, in Santa Monica, Calif., found increasingly long parent deployments can exacerbate both academic and behavior problems. ("[Parents' Deployments Found to Exact a Toll on Students' Learning.](#)" April 20, 2011.)

Easing Access

Thomas W. Luce III, the chief executive officer for the Dallas-based National Math and Science Initiative and a former U.S. Department of Education assistant secretary, said he has noticed the disconnect for military students, too. His group, which provides training and teacher incentives for schools offering Advanced Placement courses in math and science, noticed that students in military families often have more intensive parental support for the so-called STEM fields of science, technology, engineering, and mathematics.

"They hear from their parents that your life might depend on science and technology one day, so they get it," Mr. Luce said. But their mobility gives them more-limited access to advanced courses. For example, a student may take an AP physics course in one school, but transfer to another school that either does not offer the class or requires different prerequisites.

As a result of its observations, NMSI [launched a pilot program](#) to increase military students' AP enrollment in the 2010-11 academic year at two high schools near Fort Hood in Texas and two near Fort Campbell in Kentucky.

The AP courses in the pilot program are open to all students, not just those from military families, Mr. Luce said. But, as part of the program, the schools, which are not normally required to report their military students' progress, must provide separate data on that group. Teachers receive a bonus for every student who scores at least a three out of five on an AP exam.

Since last September, the total AP enrollment at the four initial schools has risen from 600 to 994 students, and NMSI has won support from the Defense Department and private donors to expand the program to 28 schools, serving an additional 40,000 high school students next year.

"We believe if we get in all 150 schools" with high concentrations of military students, Mr. Luce said, "the vast preponderance of students in military families, if they do transfer, they are likely to transfer to another one of our schools, and can pick up where they left off."

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

FLORIDA NEWS

Teachers with no tenure by July 1 likely out of luck

Orlando Sentinel

By: Leslie Postal

May 2, 2011

<http://www.orlandosentinel.com/features/education/os-teacher-contract-fl-changes-20110502.0.5909743.story>

Florida teachers who do not have tenure on July 1 will be out of luck, if Gov. Rick Scott signs a bill recently approved by state lawmakers.

The sweeping merit pay law that Scott signed in March ends tenure-like job protections for all newly hired teachers.

But some thought the new law allows teachers already "in the pipeline" to be eligible for "professional service contracts," commonly called tenure.

A separate bill finalized by lawmakers last week, however, would make it impossible for anyone who doesn't already have such a contract to get one after July 1. That means rookie and second-year teachers could not earn those contracts, which give them added job security.

Scott could sign that bill this week.

Typically, teachers have earned the professional contracts after three years on the job. During those first three years, they work on one-year contracts.

The passage of the new bill, HB 7087, has angered some union leaders and school administrators who say it is an unfair, mid-stream change for teachers already on the job.

"It appears to be just the latest effort to punish teachers," said Ron Meyer, a Tallahassee attorney who represents the Florida Education Association, the statewide teachers union.

Meyer has said the union might sue over passage of the merit pay law. Denying longer contracts to first-and-second-year teachers also could lead to a lawsuit, he said.

These teachers were hired with the expectation they could earn those contracts after three years of good work. Taking away that option, Meyer said in an email, could be a violation of their due process rights.

The merit-pay law, Meyer added, didn't repeal the option of tenure-like contracts for teachers already employed by a Florida school district, so the newest proposal seems a "punitive measure" against teachers with just a year or two experience.

But others said the change outlined in the latest bill was anticipated in the merit-pay bill, SB 736, which overhauls how public school teachers are paid and evaluated. They argue the new bill simply deletes a tenure provision the merit-pay law made moot.

Sen. Steve Wise, R-Jacksonville, described the latest bill, which repeals a number of "obsolete" education programs, as getting rid of an employment measure "superseded by current law."

He sponsored the merit-pay bill and the Senate version of the "repeal bill."

In earlier meetings on the merit pay bill, however, Wise also said, "Teachers that are already employed can continue on with what they have."

Some took that and other such comments to mean teachers now on annual contracts would be eligible for longer ones in a few years. They also noted that while the bill spells out there will be no tenure for anyone hired after July 1, 2011, it is mostly silent on teachers already employed but not yet granted professional service contracts.

The Senate staff who analyzed the bill expressed no confusion. The bill, staff members wrote, "eliminates professional service contracts for all instructional personnel who do not currently have professional services contracts, beginning July 1, 2011."

The Florida School Boards Association assumed that was the intent of the merit-pay bill, said Wayne Blanton, the group's executive director.

Blanton said he thought the "last set" of professional service contracts would be issued in May and June to teachers finishing their third year of work.. But in his view, no one else – including first and second-year teachers – would be eligible, he said.

There are more than 4,500 annual-contract teachers in Central Florida.

The merit pay bill was "a little cloudy" on the issue of already-working, annual-contract teachers, said Andrew Spar, president of the Volusia Teachers Organization, the local union.

But Spar, like others, said he thought those teachers could still get tenure in coming years.

The new bill, however, would make that impossible because it would delete from Florida law a school board's option to issue such contracts.

Seminole Superintendent Bill Vogel said his staff is upset by that because it had assumed it could grant longer-term contracts to anyone "in the pipeline" before July 1.

"Those are the conditions and the understanding that they entered into the profession with," Vogel said. "I was disappointed that the effort was made" to delete that option.

Vogel's staff will recommend to the Seminole County School Board that 143 annual-contract teachers now finishing their third year of work get the longer-term contracts this month. But the more than 900 other instructors on annual contracts look to be ineligible, even if they are good teachers.

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

Florida House Tackles Education Issues as Final Week Begins

Sunshine State News

By: Kevin Derby

May 3, 2011

<http://www.sunshinestateneews.com/florida-house-tackles-education-issues-final-week-begins>

House expands school choice and Miami-Dade County School Board reform

As they approach Friday's end-of-session, Florida House members tackled education issues Monday as part of their agenda, expanding school choice options and passing a measure reforming the Miami-Dade School Board.

Digital Learning Act

The House backed the Digital Learning Now Act introduced by Rep. Kelli Stargel, R-Lakeland, on a vote of 98-19. The measure mandates that every student, starting with incoming students beginning ninth grade in the fall of 2011, would take an online course and would create online-based charter schools.

"It is about an option for kids," said Stargel, who maintained that every school district across the state was prepared for blended and online courses. "Not every kid learns the same way."

"The classroom is simply not the same thing as when we were in school," said Rep. Charles McBurney, R-Jacksonville, who noted that his two children attended virtual schools. "This bill will let the parents know about the option and help our kids go into the 21st century."

"This is just another form of choice for our kids," said Rep. Stephen Precourt, R-Winter Garden, who also had children in virtual schools. "This is the new ... way of learning."

Democrats attempted to poke holes in the bill, arguing that many students did not have access to the resources needed to take online and blended courses.

"This bill does not really provide the infrastructure," said Rep. Gwyn Clarke-Reed, D-Pompano Beach, who insisted that many students did not have access to computers and that this would allow noncertified teachers to be instructors. "It mandates the online course ... an online course is not something we should mandate."

Opportunity Scholarships

A bill sponsored by Rep. Michael Bileca, R-West Miami, that changes the boundaries of Opportunity Scholarships and redefines the definitions of failed schools, passed 84-30.

"The purpose of this bill is to look out for the student," said Stargel, who praised the bill for expanding choice.

"When it comes to your education, it's not about taking one for the team," said Rep. Jeff Brandes, R-St. Petersburg, who insisted that racism was keeping students trapped in underperforming schools.

"It expands a definition of a failing school," said Democratic Leader Pro Tempore Joe Gibbons of Pembroke Park. "We don't have failing schools. We have failing communities because parents aren't getting involved."

Florida Tax Credit Scholarship Program

A measure introduced by Rep. Mike Horner, R-Kissimmee, which would expand corporate tax credits for contributions to the Florida Tax Credit Scholarship Program passed with no debate on a 96-18 vote.

A bill proposed by Rep. Janet Adkins, R-Fernandina Beach, revising accountability for online schools passed unanimously 112-0 despite the House carving out debate time for the measure.

School Board Reform

The bill introduced by Rep. Ana Rivas Logan, R-Miami, that would change the composition of the Miami-Dade County School Board passed 76-39 but faces a very uncertain future in the Senate.

"Reform is never easy," said Logan. "It would be much easier to ignore the problem at hand."

Logan attacked single-member districts, insisting that representatives in them did not "see the bigger picture."

Logan's measure changed the board from its current nine districts set up geographically to seven geographic districts and two at-large members.

"This will make a difference for our kids," said Rep. Eddy Gonzalez, R-Hialeah Gardens. "It's time to eliminate politics from our school board and let the people decide."

"Our society has changed," insisted Rep. Jimmie Smith, R-Lecanto, one of the few legislators not from Miami-Dade to debate the measure. Smith pointed to minorities in elected office, including President Barack Obama, U.S. Sen. Marco Rubio, R-Fla., and U.S. Rep. David Rivera, R-Fla. "We all know the history. Let's focus on a new history, the history we will write with this bill."

House Majority Leader Carlos Lopez Cantera of Miami attacked the single-measure districts currently in place. "They have become parochial fiefdoms focused on their own districts and nothing else," he said, adding he hoped the Miami-Dade County

Commission also included at-large representatives.

Democrats argued that the measure was imposing a mandate on another elected body and that the community was not behind Logan's bill.

"This bill calls for the restructuring of the Miami-Dade School Board," insisted Rep. Cynthia Stafford, who said the county was being targeted and that the measure would dilute African-American representation on the school board.

"This bill is a step back for Miami-Dade County," added Stafford. "If this is a good policy, why isn't it being applied to all 67 counties?"

Stafford and Rep. Barbara Watson, D-Miami Gardens, attacked the proposal, insisting that there has been no support from the local community to pass the measure.

"We're wasting time," said Rep. Luis Garcia, D-Miami, who insisted that the measure was heading nowhere in the Senate -- a point also brought up by Rep. Richard Steinberg, D-Miami Beach. With the measure stuck in committee in the Senate, and as the clock ticks down until adjournment on Friday, the odds appear unlikely that Logan's bill will pass this year.

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

Lake County schools considering four-day week

Orlando Sentinel

By: Denise-Marie Balona and Erica Rodriguez

May 2, 2011

<http://www.orlandosentinel.com/features/education/os-lake-four-day-school-week--20110502.0.4785228.story>

The Lake County School Board might move to a four-day school week next school year.

A shortened week is one of a list of cost-cutting ideas the board is considering to save the school district about \$10 million because of projected losses in state and federal funding. That amount is a small fraction of the district's total budget, which this year exceeds \$630 million.

Requiring students to attend classes four days a week instead of five would help Lake save almost \$5 million, primarily because the district would spend less on electricity and busing, district officials said.

In addition to the shortened week, the board is looking at cutting jobs, reducing overtime and shutting down the whole district for the week of July 4. .

Other options presented to the School Board on Monday include cutting teacher-aide positions as well as cuts to stipends for athletic coaches and other employees who help with after-school activities.

While those two changes would save Lake a combined almost \$4 million, board members said they preferred to make cuts only in areas that wouldn't directly impact academic and athletic programs.

State lawmakers in Tallahassee are moving toward a budget that would cut \$1.35 billion from the state's 67 public-school districts, equal to \$540 per pupil. Their actions are forcing Lake and school districts across Florida to slash their 2011-12 budgets.

At least one other county, Marion, has talked about adopting a four-day week.

"A four-day school week does not negatively impact athletics or academics," said Lake School Board member Kyleen Fischer, adding that she did research on shortened weeks when Lake considered adopting a four-day schedule four years ago to fill a budget hole.

If Lake did chop the school week by one day, students would continue to go to class for the same number of hours per year — about 900 hours, officials said.

Fischer noted that Lake already dismisses students early Wednesdays.

School Board members will continue vetting these ideas in the coming weeks. They're still in the early stages of building a budget for the 2011-12 school year. A final budget won't be approved until the fall.

Board member Tod Howard said he doesn't want to change the school week because it would affect families' childcare arrangements. But the district is running out of options for ways to make cuts, he said.

While jobs are on the table, he said, it's still too soon to say how many positions might be lost.

"We're looking at everything," he said.

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

STATE NEWS

Opinion: A chance for true education reform

Las Vegas Sun

By: John Ocegüera and Debbie Smith

May 1, 2011

<http://www.lasvegassun.com/news/2011/may/01/chance-true-education-reform/>

Over the past year, we brought together policy experts, business leaders, parents, teachers and principals to develop a comprehensive plan to improve Nevada's education system. Based on those discussions, Democrats in the Legislature have introduced major education reform, taking the unique needs of Nevada's education system and those of our state as a whole into account. Our education reform package includes reforming teacher tenure by:

- Including school administrators in evaluations, accountability, and merit pay.
- Creating a top-notch evaluation system that relies significantly on student achievement and improvement.
- Expanding probationary status for new educators from one to three years to provide more time to accurately evaluate their performance and provide them with instructional support.
- Expediting the process for midyear dismissals that can currently take as long as 18 months.
- Holding all post-probationary teachers and principals accountable for their performance by placing those who receive two negative evaluations back on probationary status.

In addition to reforming tenure, our education reform package includes:

- Establishing a pay-for-performance system to reward educators who improve student achievement.
- Expanding the grounds for immediate dismissal to include gross misconduct, and defining the concept.
- Increasing transparency regarding the number of administrators at each school and district.
- Providing an alternative route to licensing teachers and administrators.

The governor recently wrote two columns in the Reno Gazette-Journal about his education reforms, but he did not mention the impact his proposed cuts to education have on efforts to improve education. For example, he has proposed ending social promotion, a worthy goal, but also proposed to eliminate the requirement for class-size reduction in the early grades and full-day kindergarten. He proposes to cut funding for these two programs, as well as basic student support.

Real reform simply won't work with the level of spending cuts proposed by the governor. Education Week already ranks Nevada last in the nation in giving students a chance for success. The U.S. Education Department ranks us 44th in the nation in per pupil spending. Now, the governor's budget proposes a \$1.2 billion cut to education, on top of cuts totaling half a billion dollars over the past two years.

That we face an unprecedented revenue shortfall is simply a fact. Cuts are inevitable, but we do not believe we have to make cuts this severe. Economists, policy experts, community and business leaders all tell us the same thing: We need more revenue for education. Nevada is listening; polls show us the public supports raising revenue to save education.

Representatives from TechAmerica, an important advocacy organization for high-tech business, met with us to tell us what they need before their businesses will consider investing in us. Before they consider coming to Nevada, they want to see us invest in ourselves first.

The Las Vegas and Reno Sparks Chambers of Commerce support our pursuit of additional revenue with corresponding education reforms because our economy cannot improve without strong schools and a well-educated workforce. Let us repeat: Big business and the two largest chambers of commerce in our state recognize the need to raise revenue for education.

Here's where things stand at the Legislature. Legislative Democrats recognize we can't do this alone, so we are at the table. We are talking about the needs of our state and a potential compromise on budget and revenue. The governor and our Republican friends across the aisle in the Legislature need to take a seat at the table and talk — something they have so far been unwilling to do.

Unfortunately, as we heard in the Committees of the Whole on K-12 and higher education, the governor and his allies in the Legislature will neither discuss nor debate, let alone compromise, on these issues. They are going to go with governor's recommendation on the budget. We believe strongly, however, that we need to work together to find solutions, no matter what the issue.

We recognize that in these difficult times, we are going to have budget cuts accompanying our reform. But the cuts recommended by the governor — nearly \$1.2 billion — are simply too deep. The GOP needs to take a seat at the table.

We need to find middle ground: a common sense budget and revenue package that restores proposed cuts to education while making meaningful reform to how we educate our kids. That's what the public wants, and that's what we must do.

John Oceguera, a Las Vegas Democrat, is speaker of the Assembly and Debbie Smith, a Sparks Democrat, is speaker pro tempore of the Assembly.

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

Opinion: 'Parent trigger' limbo

Los Angeles Times

By: Editorial Board

May 3, 2011

http://www.latimes.com/news/opinion/opinionla/la-ed-trigger-20110503.0.797988_story

The pilot program enabling parents to petition for changes at low-performing schools was a worthy idea but poorly designed. It's worth getting right.

Right now California's so-called parent trigger law, which allows parents at low-performing schools to force a change in their school's institutional structure via petition, is stuck in a sort of limbo. The one petition that has been delivered, at McKinley Elementary School in Compton, is delayed by legal wrangling. Meanwhile, the state Board of Education is going back and forth on how to implement the law and a legislator has introduced a bill that could render the trigger toothless.

Blame the legislation that created the trigger. A rush job, it was tossed together in the hopes of winning a federal grant rather than being carefully crafted to improve California education. The innovative idea deserves better; it's up to the state Board of Education and new legislation to address the troubling weaknesses that seem likely to foster educational turmoil and pit parents against teachers and one another.

Under the existing law, if a majority of parents at a low-performing school sign a petition, they can force the school district to make one of several changes at the school, including replacing much of the faculty or bringing in an outside charter operator. The parents also get to choose which option goes forward, including which charter organization should take over.

Parents should be able to demand serious reform at bad schools, but they are not experts on educational solutions. Most of the options are relatively new, and there's little definitive evidence about which of them work best, if any. It can be especially confusing for parents to analyze the record of a specific charter organization, or to weigh it against others. Studies show that significant numbers of charters talk a good game but don't deliver.

It makes more sense for the parent petition to have the power to force major transformation, but for the local school board to make the actual decision on which option should prevail, taking into account the parents' preferences. Or at least, that would make sense if we could count on school boards to put students first rather than to defend the status quo. The Compton Unified School District, which has absurdly claimed it cannot verify any of the signatures on the McKinley petition, shows just how far some school officials are willing to go to avoid change.

But that's easily overcome with an appeals process. If the school district ignores the parents' preference, they should be able to appeal to another agency that doesn't have a vested interest in the outcome, such as the county Department of Education. A similar system already exists for traditional charter applicants that are turned down by hostile school boards. An appeals process offers the additional advantage of avoiding lawsuits. We hope that the state board considers these options as it draws up a complicated slate of parent trigger regulations. Also needed are rules that require a transparent petition-signing process so that parents know about all of their options; the McKinley petition was carried out in secret.

Assemblywoman Julia Brownley (D-Santa Monica) has introduced legislation to "clean up" what she sees as flaws in the parent trigger law, but at least one of her solutions is far more troubling than the trigger itself. [AB 203](#), which will be considered Wednesday by the Assembly Education Committee, would require school boards, when considering a petition, to give weight to the objections of parents who oppose the petition, even when a majority of parents have signed it. On the surface, this is a reasonable concession, but it could easily be used as a back door for school boards to reject valid petitions. There will seldom if ever be unanimous agreement among parents; allowing the complaints of a few to rule the day could mean that no schools would ever change.

Not all of the fixes to the parent trigger law can be made through regulation. Under the original legislation, schools can become targets of a petition if their Academic Performance Index score is lower than 800 and if they have been considered "program improvement" schools for at least three years, for having failed to raise test scores enough under the federal No Child Left Behind Act. The bill mixes state goals — the API — and federal ones, and as a result covers many schools that are making good improvements but not enough to meet the definitions under the parent trigger law.

For now, parent trigger is only a pilot program; it is limited to 75 schools. Its supporters call for leaving it as it is and seeing how it works out over the years. But 75 is not a trivial number of schools; they need a process that's as well thought out as possible. And parent trigger is an idea with real merit that deserves to go beyond a pilot program; parents do need some clout in dismal public schools, where they are too often ignored. A parent trigger law that is fairer and more transparent will also be more effective — and have a better chance of becoming a permanent part of school reform.

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

Collective Bargaining Bill Passes Tennessee Senate

Associated Press

By: Staff

May 02, 2011

<http://www.newschannel5.com/story/14558564/collective-bargaining-bill-passes-tennessee-senate>

NASHVILLE, Tenn. (AP) - A proposal to replace Tennessee teachers' collective bargaining rights with a policy manual has passed the Senate.

The measure proposed by Republican Sen. Jack Johnson of Franklin was approved 18-14 on Monday.

It would require local school boards to develop a "professional employee manual that contains ... procedures for establishing policies relative to the employment and working conditions."

The manual would include procedures for terms and conditions relative to salaries, benefits, grievance procedures, insurance and working conditions.

The proposal differs from the House version that would shield certain areas -- like teacher evaluation standards and merit pay -- from union bargaining, but not do away with negotiations altogether. It's awaiting a vote in the House Finance Committee, and House GOP leadership expects it to be amended to resemble the Senate version.

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