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TO:Sandy Kress (CN=Sandy Kress/OU=OPD/O=EOP [OPD])
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TO:Townsend L. McNitt (CN=Townsend L. McNitt/OU=WHO/O=EOP [WHO])
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FYI...side-by-side of HR 1 and S 1 accountability provisions

> <<Accountability SBS.doc>>
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File attachment <P_U5M42004_OPD.TXT_1>

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**The following document is attachment
P_U5M42004_OPD.TXT_1**

FYI...side-by-side of HR 1 and S 1 accountability provisions

<<Accountability SBS.doc> ;>

**The following document is attachment
P_U5M42004_OPD.TXT_2**

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Reservation for School Improvement</u></p> <p>Authorizes new State-level Reservation for School Improvement in the amount of 1 percent of State Part A allocations in 2002 and 2003 and 3 percent thereafter. SEAs must subgrant at least 95 percent of these funds to LEAs for schools identified for school improvement, corrective action, and reconstitution under section 1116(c).</p> <p>Authorizes a new \$500 million Assistance for Local School Improvement State grants program. States would subgrant 95 percent of their allocations to LEAs, which would make school-level grants of \$50,000 to \$500,000 for school improvement activities under section 1116.</p>	<p>3.5 percent of Part A allocations for FY 2002 and 2003, rising to 5 percent thereafter, with not less than 50 percent of the amount reserved subgranted to LEAs for school improvement, corrective action, or reconstitution.</p> <p>No similar provision.</p>	
<p><u>Standards</u></p> <p>Requires content and “academic achievement” standards in reading, math, and (by 2005-2006) science.</p>	<p>Requires standards for math, reading, history, and science. History and science standards excluded from assessment and accountability requirements until 2005-2006.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Accountability System</u></p> <p>Requires “single, statewide State accountability system,” including sanctions and rewards for LEAs and schools, except that non-Title I schools are not subject to school improvement provisions in 1116(c).</p>	<p>Same as House bill.</p>	
<p><u>Adequate Yearly Progress (AYP)</u></p> <p>AYP definition must measure the dropout rate and include annual numerical objectives for “continuing and significant improvement” in the achievement of (1) all students, (2) groups based on poverty, race and ethnicity, disability, and LEP status, and (3) acquisition of English language proficiency by LEP students. Requires a target year, not more than 12 years from the year following enactment, for all groups meeting the proficient level on State assessments, with annual percentage increase goals needed to meet target.</p> <p>Finally, not less than 95 percent of each group of students included in the definition of AYP must take the State assessments for a</p>	<p>Similar to House bill, but calls for annual measurable objectives for “continuing and significant improvement” in the achievement of all students and of groups based on poverty, race and ethnicity, LEP and migrant status, disability, and gender. Also must include timeline for all groups meeting the proficient level on State assessments within 10 years, as well as school completion or dropout rates.</p> <p>In measuring AYP, States must give greater weight to groups performing “the furthest from the proficient level” and “that make the greatest improvement.” In addition, States, LEAs, and schools must increase the percentage of each group (excluding gender</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p>school to make AYP.</p>	<p>and migrant status) of students meeting the proficient level in reading and math by 1 percent each year to meet AYP. Includes same 95 percent assessment requirement as House bill.</p>	
<p><u>Assessments</u></p> <p>Requires annual assessments, aligned to State standards, in reading and math for all students in grades 3-8 beginning in 2004-2005. Assessment results must be disaggregated by gender, race, ethnicity, LEP and migrant status, disability, and poverty.</p> <p>Requires annual assessment of the English language proficiency of LEP students beginning in 2002-2003</p> <p>Sec. 7104 authorizes \$400 million “and such sums” for developing and implementing the required standards and assessments.</p>	<p>Similar to House bill, except requires annual assessments for all students in grades 3-8 beginning in 2005-2006, with science assessments added in 2007-2008.</p> <p>No similar provision.</p> <p>Sec. 6203 authorizes \$400 million “and such sums” for developing and implementing the required standards and assessments.</p> <p>Authorizes \$200 million for grants to help States and LEAs collaborate with IHEs, research institutions, and other organizations to improve assessment systems.</p>	

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H. R. 1	S. 1	
<p><u>Assessment “Trigger”</u></p> <p>No provision.</p>	<p>States may delay compliance with the new assessment requirements if the amount appropriated for assessment development and implementation under Sec. 6203(a) is less than \$370 million for FY 2002, with the target rising by \$10 million each year through FY 2008.</p>	
<p><u>State NAEP</u></p> <p>Requires States to participate, beginning in 2002-2003, in annual State assessments of 4th and 8th grade reading and math under NAEP, or another independent academic assessment (described in Sec. 7101). Authorizes \$69 million “and such sums” to pay for participation in State NAEP or to offset costs of independent assessments.</p>	<p>Similar to House bill, but conditions participation on the Federal government paying the costs of such participation.</p>	

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H. R. 1	S. 1	
<p><u>Report Cards</u></p> <p>Requires State report cards beginning in 2002-2003 and including aggregate and disaggregated student performance information, as well as graduation rates, AP test-taking and results, the professional qualifications of teachers, and other information.</p> <p>Requires LEA report cards beginning in 2002-2003 and including both student performance data and information on schools identified for improvement.</p> <p>States also must submit annual reports to the Secretary, beginning in 2001-2002, on progress in developing and implementing the new assessments, assessment results, and information on schools identified for improvement. Also requires, beginning in 2002-2003, information on the acquisition of English proficiency by LEP students.</p>	<p>Similar to House bill, but requires disaggregated 4-year graduation and dropout rates.</p> <p>Similar to House bill.</p> <p>Similar to House bill, but no requirement for data on English language acquisition.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Parents Right-To-Know</u></p> <p>Requires LEAs to provide parents, upon request, information regarding the professional qualifications of their children's teachers and paraprofessionals.</p>	<p>Same as House bill.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>School Improvement</u></p> <p>Requires LEAs to identify for school improvement any school that fails to make AYP for any single year, and to provide all students enrolled in the school the option to transfer to another public school not identified for improvement, unless such an option is prohibited by State law.</p> <p>Schools identified for improvement must develop 2-year improvement plans, with assistance from the LEA, involving research-based strategies that specifically address school weaknesses, reserve at least 10 percent of their Part A allocations for professional development, and notify parents about the identification for improvement and the response to such identification. Plans must be implemented no later than the beginning of the school year following identification for improvement.</p>	<p>Similar to House bill, except that LEAs must provide a public school choice option (subject to State and local law or policy and capacity constraints) in the second year of school improvement (i.e., following one additional year of failure to make AYP).</p> <p>Same as House bill.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Corrective Action</u></p> <p>LEAs must identify schools for corrective action after one additional year of failure to make AYP (a total of two years, one in school improvement). In addition to continuing to provide a public school choice option, the LEA must take corrective action such as (1) making alternative governance arrangements or (2) replacing school staff or (3) instituting and implementing a new, research-based curriculum, including appropriate professional development.</p> <p>LEAs may use up to 15 percent of their Part A allocations to pay for transportation of students in corrective action schools who exercise a choice option.</p>	<p>After two years in school improvement (three years of failure to make AYP), the LEA must identify the school for corrective action, subject to the same measures described in the House bill.</p> <p>If a school identified for corrective action fails to make AYP for three consecutive years in the same subject for a specific group of students, the LEA must (no exceptions for State and local law or capacity constraints) provide an option to transfer to a better public school, arrange for interdistrict choice where possible, and make supplemental services available to children in the school. LEAs must pay for transportation under this “hard choice” provision, although no more than 15 percent of an LEAs allocation may be used for transportation or supplemental services.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Restructuring</u></p> <p>If a school fails to make AYP after one year of corrective action, and its poor students are not make statistically significant progress, or if a school fails to make AYP after two years of corrective action, the LEA must continue to provide a public school choice option (unless prohibited by State law), make available supplemental instructional services, and prepare for restructuring. After one additional year, the LEA must restructure the school by implementing alternative governance arrangements such as reopening the school as a charter school, replacing all or most of the staff, or turning over operation of the school to a private contractor.</p>	<p><u>Reconstitution</u></p> <p>If a school fails to make AYP after one year of corrective action, and has failed to make AYP for poor students in the same subject for the three preceding years, the LEA must begin planning for reconstitution. Students continue to be eligible for “hard” public school choice and supplemental services. One year after identification for reconstitution, the LEA must implement one of the same alternative governance arrangements described in the House bill.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Supplemental Services</u></p> <p>When required, LEAs must arrange for supplemental services from providers approved by the State and selected by parents. Providers must demonstrate “a record of effectiveness, or the potential of effectiveness,” in providing instructional services to children. LEA must enter into contract with provider that includes specific performance goals, progress measures, and a timetable for improving achievement.</p> <p>Costs are limited to 40 percent of the per-child Title I, Part A allocation. If these funds are insufficient, LEAs may use Title IV funds for supplemental services. Eligible children must be from low-income families.</p>	<p>Similar to House bill.</p> <p>The cost of such services is limited to the LEA’s Part A allocation for each poor child, or to the actual cost of the services. However, the LEA may not use more than 15 percent of its allocation for the combination of supplemental services and transportation under “hard choice,” and school allocations must not be reduced by more than 15 percent.</p> <p>In the case of insufficient funds, LEAs must give priority to the lowest-achieving children.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>“Grandfathered” Improvement Status</u></p> <p>Schools that were in school improvement status “immediately before the effective date” of HR1 would be identified for improvement.</p> <p>Schools in improvement status for 2 years, or in corrective action status, prior to effective date of HR1 would be identified for corrective action.</p>	<p>Schools identified for school improvement prior to enactment would be considered to be in the first year of school improvement.</p> <p>Schools in school improvement for two years prior to enactment would be subject to corrective action, including “hard choice” and supplemental services.</p> <p>Schools identified for corrective action prior to enactment would be subject to the “hard choice” and supplemental services provisions after one additional year of failure to make AYP and reconstitution after two years of failure to make AYP.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>LEA Improvement</u></p> <p>States must identify LEAs for improvement after 2 consecutive years of failure to make AYP. Such LEAs must develop improvement plans involving research-based strategies and dedicate 10 percent of their allocations to professional development.</p> <p>States must identify LEAs that fail to make AYP for two additional years (a total of 4) for corrective action. Corrective actions include instituting a new curriculum, restructuring or abolishing the LEA, reconstituting LEA personnel, appointing a trustee in place of the superintendent and school board, or withholding funds</p>	<p>Same as House bill.</p> <p>Same as House bill.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Awards</u></p> <p>Authorizes Assessment Completion Bonuses.</p> <p>Authorizes Academic Achievement Awards program to recognize schools that have closed the achievement gap or exceeded AYP for 2 or more years. States would reserve up to 30 percent of annual Part A appropriations increases to fund the awards.</p> <p>Authorizes \$40 million Achievement in Education Awards program for States that have made “significant progress in improving educational achievement,” with the greatest weight given to the progress of poor and minority students.</p>	<p>Same as House bill.</p> <p>Authorizes No Child Left Behind Awards to schools that have improved the achievement of poor students.</p> <p>Authorizes \$50 million for a similar program (funds also would cover No Child Left Behind Awards and Assessment Completion Bonuses).</p> <p>States may make institutional and individual rewards to LEAs that meet AYP for 3 consecutive years.</p>	

ACCOUNTABILITY SIDE-BY-SIDE FOR H. R. 1 AND S. 1

H. R. 1	S. 1	
<p><u>Sanctions</u></p> <p>Requires Secretary to withhold 25 percent of administrative funds for State failure to meet 1994 IASA for standards and measuring AYP.</p> <p>Permits Secretary to withhold State administrative funds for failure to put in place standards, assessments, and AYP measures in HR1.</p> <p>If a State fails to make AYP for 2 years, and its poor and minority students fail to make “measurable progress” in reading and math on the State NAEP or similar instrument, the Secretary must reduce its administrative funds under ESEA formula grant programs by up to 30 percent. The Secretary would be permitted to increase this reduction by up to an additional 45 percent in subsequent years.</p> <p>Requires the Secretary to reduce State administration funds by 20 percent if a State fails to make AYP for LEP children or in the acquisition of English proficiency by such children.</p>	<p>No similar provision.</p> <p>No similar provision.</p> <p>If a State fails to make AYP for 2 years, and its poor and minority students fail to make statistically significant progress, the Secretary must reduce its administrative funds under ESEA formula grant programs by up to 30 percent, rising to up to 75 percent after the 3rd year of such failure.</p> <p>No similar provision.</p>	