



Printable Edition

Note: This resource includes all articles from the September 2011 Rural Policy Matters newsletter. For the latest content updates, please check the [issue index](#) for this edition.

Editor's note: Links are free and current at time of posting, but may require registration or expire over time.

Facts and Figures About States With Low Rural Graduation Rates

Question: In which states are average graduation rates for rural students below the average national rural rate? (Hint: U.S. rural graduation rate is 69.2%.)

Answer: Graduation rates for rural students are lower than the U.S. rate in 12 states. Those states are South Carolina, which has the lowest rural graduation rate at 52.3%. South Carolina is followed by Alaska (55.9% rural graduation rate); Georgia (56.2%); New Mexico (58.4%); Arizona (59.7%); Alabama (62.4%); Delaware (62.6%); Mississippi (63.4%); Florida (64.1%); Louisiana (64.9%); and North Carolina (66.5%);

(Source: [Why Rural Matters, 2009](#))

Place-Based Learning Offers Opportunities for High-Poverty Rural Schools

Place-Based Learning (PBL) can be a powerful tool to improve student achievement and strengthen the local community, but what exactly is it?

"Place based learning takes the real world around the school — the community — and turns it into a 21st century learning laboratory," explains Margaret Maclean, Project Coordinator/Trainer for the Rural Trust. "Students learn skills and concepts while learning about and contributing to their place. By working on things like oral histories, water quality studies, community gardens, or student-led community tax centers, students are active learners, engaged and making a difference."

For high-poverty rural schools with few "traditional" school resources, PBL can help fill some of the gaps left by low tax bases and curriculum that does little to acknowledge the life circumstances of rural students.

"Place-based learning is a way for students, teachers, and community residents to look at their communities in new ways," says Jereann King Johnson, Project Coordinator/Trainer for the Rural Trust. Participants reflect on their histories and cultures and identify strengths and needs in the place."

By doing so, participants can begin to identify unconventional resources and opportunities that hold academic potential. Those opportunities then become the basis for curricular approaches that tie required content to activities that engage students in learning about their own communities.

Unlike add-on school projects, high-quality PBL is integrated into the curriculum. And unlike typical curriculum, PBL offers students academic approaches that develops and demonstrates their capabilities through work that makes a meaningful difference to themselves and to other people.

For communities facing serious economic and social challenges, this kind of involvement from young people can dramatically improve the quality of life of local residents and the viability of the community itself.

Further, there is evidence that students in classrooms and schools that employ place-based learning make academic

gains that exceed those of students in more traditional classrooms. For example, elementary student test scores in science rose significantly after schools in East Feliciana Parish, Louisiana implemented a place-based science program. You can read about that program [here](#).

High-poverty rural schools and PBL

Place-based learning is well suited to the unique challenges of high-poverty rural schools because it acknowledges realities — isolation from amenities like shopping and entertainment and necessities like health care and living wage jobs — and it also affirms cultural richness and resilience in ways that can impact community need and possibility.

Similarly, by making the community a learning lab, PBL can provide students with essential hands-on learning experiences that help compensate for a lack of adequate equipment and supplies in underfunded low-wealth schools.

PBL can be especially important for high-poverty rural schools in places with long histories of racial or economic exploitation and oppression, where powerful interests are often hostile to public education.

Against this context, place-based learning can offer students experiences that access and affirm their cultures and communities, and it can offer communities a way to engage with the school, problem-solve and take actions that support students.

Challenges to implementation

Despite the potential of PBL, there are implementation challenges, especially in high poverty schools. Many of those challenges result from failed or misguided public policy.

For example, chronic underfunding leads to teacher recruitment and retention problems in many high-poverty rural districts. School turnaround policies can create administrative instability and prohibit the development of a sustained and coherent academic approach.

Pay-for-performance programs that peg teacher salaries or evaluations to student test scores deter teachers from working in schools with few resources and high percentages of students living in poverty. Teachers who do work in high-poverty schools are often forced to follow prescribed lesson plans that leave little room for teacher or student initiative.

And, laws that weaken tenure protections can dissuade teachers from standing up to harmful administrative or board directives, an especially relevant concern in communities where powerful local interests are hostile to public education.

Nevertheless, these very factors reveal a need for programs, like PBL, that help strengthen community leadership in order to provide continuity and support for school staff and serve as a bridge for teachers to learn about and connect to the community.

Trainings in place-based learning

The Rural Trust offers a three-day training that introduces PBL to teachers and administrators and helps teachers to begin developing place-based curriculum and approaches.

The workshop begins with a conversation about what participants know about their community.

"Because we want teachers to take a fresh look at the community's history, economy and culture," says Johnson, "so we ask them to look at the community through fresh lenses.

After this initial conversation participants take a tour to important community places like the courthouse and historic sites, businesses and industries, and to meet people who influence the community. The tour also goes to different neighborhoods where participants are asked to note what they see, including communities where young families and children live and the presence or absence of amenities.

"We ask participants to look for evidence of power during the tour," says Johnson. "We ask them 'where do you see power?' and 'where do you see — or not see — economic activity?' and 'how is history impacting the present? Where do you see that?'"

Participants de-brief the tour together and make a chart of what they've seen, placing their observations into categories.

After reflecting on their own experiences and observations, participants discuss a text on place-based learning that describes real examples from around the country.

"At this point teachers begin to think about how to translate the richness of their community into grade level

curriculum,” explains Maclean. “We ask them what they do that is like what they’ve read in the text and how they might connect what they teach to what’s on the chart they just made.”

On the second day of the training participants work in teams and begin to develop curriculum.

“Teachers think about content they are required to teach,” explains Johnson. “And, they begin to map out plans for lessons that could incorporate place-based learning. The goal is to think through the concepts and create new approaches to content.”

This stage of the training can be both motivating and challenging for teachers, especially teachers who work in schools where the district or state takes a very top-down role. “In some districts almost everything teachers do is dictated by someone else,” says Maclean. “That leaves very little room for teachers to influence what they do in their classrooms.”

Johnson adds that in many high-poverty schools teachers have very little power and few opportunities to assert their own thinking. “In these kinds of schools PBL can be a morale boost for teachers who yearn to apply their intellects to their teaching practice and to community building.”

The second day of training also includes opportunities for teachers to think about how to incorporate technology and literacy skills into their PBL work.

On the third day, participants share their lesson plans with each other and fine tune their work together.

“At this stage there’s a lot of emphasis on making sure the plans are meeting state content standards and on practical actionable ideas.” says Maclean.

By the end of the training teachers have worked with each other and with community residents to begin re-thinking the school’s role in the community and the community’s role in the education of its children and youth.

“The PBL approach is one that is filled with opportunities to provide children with a good solid education and at the same time engage community members and young people in research and problem solving around community issues and concerns. It is a powerful way to teach and build community,” concludes Maclean.

You can read about successful place-based in rural communities in [this issue](#) of *RPM* and at the websites of the [Vermont Rural Partnership](#) and the Missouri [Schools Partnership](#).

Rural Winners of Lenore Annenberg School Fund Grant Delve Into Place-Based Learning

This summer two high-poverty rural elementary schools participated in a place-based learning workshop led by Rural Trust staff.

“Place-based learning is a way for teachers and students and community residents to learn about their community, and it can engage students with academic content in their communities in ways that benefit both students and the place,” explains Jereann King Johnson, Project Coordinator/Trainer for the Rural Trust.

The two schools — St. Helena Elementary School in Louisiana and Dermott Elementary School in Arkansas — won grants earlier this year from the Lenore Annenberg School Fund for Children. The \$100,000 grants are only available to schools where more than 90% of students receive free or reduced price lunches.

Both schools face challenges common to high-poverty rural schools, including low funding, a dearth of in-school resources, and often-troubled relations with state or local power structures.

Dermott Elementary is small with 240 students in pre-K through sixth grade. Located in Chicot County in south central Arkansas, the Dermott community has a population of 2,900. Currently, the community has its own school system, and most students live nearby.

St. Helena Elementary is in Greensburg, population 650, in St. Helena Parish, which is on the northern edge of Louisiana’s “boot.” The school is a much larger than Dermott and serves 531 students in Pre-K through fourth grade.

“Both schools are dealing with isolation and poverty and pressure from their states to improve test scores,” says Margaret MacLean, Project Coordinator/Trainer for the Rural Trust. And, like many other high-poverty schools, both St. Helena and Dermott have experienced administrative turnover or threat of closure.

In such circumstances place-based learning can be a stabilizing force. “Place-based learning offers many opportunities to provide children with a good education and to engage residents and students in research and

problem solving in the community” Maclean concludes.

You can read more about place-based learning in [“Place-Based Learning Offers Opportunities for High-Poverty Rural Schools”](#) in this issue of *RPM*.

Alabama Teachers In Political and Legal Crosshairs

Like a number of other states, Alabama has taken action in recent years aimed at curtailing tenure protections for teachers and at reducing the influence of teachers on education policy and budgeting. But lawmakers in Alabama didn't rely only on education and labor law to accomplish their goals. Instead, a range of legislation, including a new set of ethics laws, the state's new immigration law, and assaults on the state's teacher retirement system and benefits — in addition to tenure reductions — have left many teachers unclear about their futures. This new combination of laws is particularly troublesome for teachers in some rural counties.

The Alabama policy developments have been widely characterized as a fight between the state's Republican Party, which in 2010 elections (for the first time in over a century) swept both legislative houses and retained the governorship, and the Alabama Education Association (AEA), which has long lobbied for greater education spending and higher salaries for teachers. Alabama has a statewide teacher salary scale, although local school systems can supplement the scale.

While the history and the circumstances of this current fight have some elements peculiar to Alabama, several aspects of the new legislation bear striking similarities to pieces of “model legislation” developed by the American Legislative Exchange Council (ALEC), an organization that works nationally with Republican state legislators and corporate representatives to develop and pass state-level laws considered more friendly to corporate interests.

“Ethics Law”

The course of events in Alabama had taken a fairly conventional course until December 2010. Earlier in the year legislation had attempted to curtail the organizing capacity of the AEA. But that effort stalled. Then in November elections, Republicans gained large majorities in both houses, and Republican Robert Bentley was elected Governor, replacing Bob Riley who had completed his two-term limit. In Alabama, legislators are seated as soon as elected in November while lame duck governors remain in office until Inauguration Day in January.

In December, Riley called a special legislative session. Only once before in state history had a lame duck governor called a December special session with a newly seated legislature. The session's one purpose was to enact new state “ethics” laws. Within a few days legislators had passed several pieces of legislation aimed at limiting the political activity of state workers.

The most far-reaching of these new laws is SB 2/Act No. 761. It bans payroll deductions for AEA members and was scheduled to go into effect in March 2011. It also defines a variety of teacher political activities as ethics “violations” punishable with fines and jail time.

AEA challenged the law and got a partial temporary injunction on the payroll deductions provision. It also organized a push for teachers to switch to monthly bank drafts as a way to keep their AEA membership current and avoid violating the payroll deduction aspects of the ethics rules. A final ruling on challenges to the law has not yet been delivered.

Teacher Tenure Law

When the 2011 regular legislative session opened in February and while the new ethics laws were being implemented and challenged, Republican lawmakers introduced several measures aimed at curtailing the due-process rights of teachers and tying teacher evaluation and promotions to student test scores.

The most significant of these bills is SB 310, dubbed the *Students First Act*. When initially introduced, SB 310 broadened the reasons teachers could be dismissed, ended the neutral arbitration process Alabama has used for several years to settle employment disputes between teachers and local school boards, and dramatically narrowed recourse for teachers facing dismissal.

SB 310, and its provisions to eliminate arbitration, was backed by the Alabama Association of School Boards and by the Business Council of Alabama.

Teachers across the state lobbied against the bill, held rallies in their own counties and in Montgomery, the state's capital.

Eventually, several provisions of SB 310 were changed. The arbitration process the state has been using were modified but left largely intact. Provisions tying teacher evaluations to student test scores, which were very similar to

the ALEC model legislation, were removed; and language defining permissible reasons for teacher dismissal was trimmed.

Despite these changes, SB 310 limits tenure protections for teachers significantly and provides school boards with new loopholes for eliminating teacher positions. The most important of these is a change in Reduction in Force (RIF) laws. Under SB 310, school boards can now eliminate any teacher position through RIF. Because conditions for RIF are not defined in the law, many in the state predict that local boards will be able to declare a RIF and dismiss any teacher at will. The RIF provisions are also similar to those in ALEC legislation.

The RIF provision is likely to have a particularly strong impact in rural school systems. Because of Alabama's local tax laws, considered the most restrictive in the nation, rural counties have very little ability to raise local revenues, making rural school systems especially dependent on state funding. And because state revenues for public education are based on sales and incomes taxes, Alabama education funding is especially vulnerable to economic downturns. The state frequently "prorates" education funding, that is, it makes across the board cuts in the middle of the school year. Those cuts fall hard on rural school systems that can't make up the difference with local revenue.

Further, tenure protections have enabled rural school systems to maintain some stability in their teaching forces during proration and when experiencing declining enrollment.

The legislature also eliminated a key provision of the state's school funding formula, one that was put in place in response to an equity funding lawsuit. That provision required that money for teacher's salaries be spent at the school in which it was earned in the formula. That provision was intended, in large part, to protect teaching and support positions at high poverty schools from attempts to "raid" their staff by more politically influential schools. This provision, together with SB 310 will likely change the way rural school systems staff schools. Another piece of legislation those

Immigration Law

HB 56, Alabama's new immigration law requires schools to confirm the immigration status of all students at the time they enroll in school and all students receiving instruction in English as a Second Language.

Supporters say the law is not intended to bar undocumented children from entering public schools but will enable the state to determine how much it is spending to educate these children.

A high percentage of immigrants to the state have settled in rural communities, so the law will have a disproportionate effect in many rural schools.

The Obama administration, ACLU, a number of Alabama churches, and the SPLC sued to stop the implementation of the law, which was scheduled to go into effect on September 1st.

In late August a federal judge temporarily halted implementation of HB 56. But earlier this month Judge Sharon Blackburn issued her ruling, which let stand key provisions of the law, including the requirement for schools to document immigration status of students.

Former Governor Riley's plans to form new education foundation

Former Governor Riley has announced his intent to form an education foundation that will support charter schools, merit pay for teachers, and the consolidation of public schools in rural areas. Riley has also registered as a lobbyist and said he will lobby on behalf of education and economic development.

Read more:

Coverage of Judge Blackburn's ruling:

- http://blog.al.com/breaking/2011/09/judge_in_alabama_immigration_1_1.html
- www.nytimes.com/2011/09/29/us/alabama-immigration-law-upheld.html?_r=1

SB 2/Act No. 761, the ethics law:

- <http://district2.us/uploads/SB2.pdf>

SB 310 "Students First" Act (teacher tenure law); includes links to bill as introduced and as passed:

- www.openbama.org/index.php/bill/fulltext/4070

Alabama Association of School Boards' summary of changes to SB 310

- www.alabamaschoolboards.org/PDFs/WhatChagedinSB310.pdf

HB 56, the immigration law:

- <http://media.al.com/ht/other/HB56-enr.pdf>
- www.acca-online.org/legis_news/2011_bills/HB56-enr.pdf

Links to all ALEC Model Legislation at the Center for Media and Democracy, the first news organization to gain access to model legislation:

- www.alecexposed.org/wiki/ALEC_Exposed

Former Governor Riley's plan to establish an education foundation:

- http://blog.al.com/spotnews/2011/08/former_alabama_gov_bob_riley_r.html

New Co-Sponsor of All Children Are Equal Act

Representative Bill Owen (D-NY) is the newest among a growing list of Congressional co-sponsors of the All Children are Equal Act (ACE), H.R. 2485. Owen, whose 23rd district includes much of northeastern New York, became the sixth Democrat and 15th member of the U.S. House to sign on to the bill.

H.R. 2485 (ACE) would end discrimination in the Title I formulas that distribute federal funding to school districts to enhance the education of very low-income students. Title I is the major financial component of the Elementary and Secondary Education Act (currently known as No Child Left Behind).

The intent of Congress has been to provide more funding for students who attend school in districts with high concentrations of poverty. But since 2002 when "number weighting" was implemented, the formulas have sent more money per eligible child to larger districts than to smaller districts, regardless of poverty rate. As a result, most smaller urban and rural districts receive less federal funding for each of their very low income students than larger districts do, including low poverty large districts.

You can learn more about number weighting and the efforts to fix the Title I formulas at the website of the Formula Fairness campaign: www.formulafairness.org

HR 2485, which was introduced in July by Rep. Glenn "GT" Thompson (D-PA) and 10 additional co-sponsors, would phase out number weighting to end these inequities.

You can ask your member of Congress to join the effort to end discrimination in the Title I formulas by co-sponsoring H.R. 2485. Just click [here](#) and follow the links.

And, you can help build support for HR 2485 by encouraging your organizations to write a letter of endorsement. Send your letter to Rep. Thompson's Legislative Director at matthew.brennan@mail.house.gov and please send a copy to marty.strange@comcast.net.

Be sure to check out Marty Strange's Commentary, "[Rural Student Success Critical to National Goals](#)" in the August 26th *Education Week* (p. 24 in the paper edition). Strange, who is Policy Director of the Rural Trust, discusses Title I inequities and other policies that have a detrimental effect on rural schools and students.

Read more:

The text of HR2485/ACE:

- <http://thomas.loc.gov/cgi-bin/query/D?c112:1:./temp/~c112u9x3xx>

The Formula Fairness Campaign:

- www.formulafairness.com

Marty Strange commentary in *Education Week*:

- www.edweek.org/ew/articles/2011/08/24/01strange.h31.html?qs=Marty+Strange

Don't Miss It!

Rural Trust Policy Director Marty Strange calls for responsive federal policy for rural schools in "[Rural Student Success Critical to National Goals](#)," which appeared in the August 23rd edition of *Education Week* (page 24 in the print

edition).

The commentary addresses discrimination against high-poverty rural and small urban schools in the Title I formulas. It also addresses other important rural education policy issues including the need for a federal "comparability" provision to require districts to allocate state and local fiscal resources to high poverty schools at levels comparable with low poverty schools, the need for more research on issues and innovations in rural education, and problems with competitive grants.

Read more:

- www.edweek.org/ew/articles/2011/08/24/01strange.h31.html?qs=Marty+Strange

Bill Would Expand Federal Funding for Charter Schools

Earlier this month, the U.S. House of Representatives passed legislation that would amend the charter school portion of the Elementary and Secondary Education Act (ESEA). The bill, H.R. 2218, entitled "Empower Parents through Quality Charter Schools Act," passed the House 365 to 64 and now moves to the Senate where its fate is less certain.

The legislation would increase funding for competitive grants to public and non-profit entities to "strengthen a cohesive statewide system to support the opening of new charter schools and replicable high-quality charter school models."

Several aspects of the bill echo requirements in other recent federal grant programs, including provisions that state charter laws set no cap on the number or percentage of charter schools or charter school students. H.R. 2218 would also require states to provide funding for school facilities for charters commensurate with regular public schools.

Both of these provisions run counter to the charter laws of many states, although several states have recently altered their laws in order to become eligible for federal grants, including Race to the Top.

Response to research critiques

Research on the academic performance of charter schools has been mixed at best, casting doubt on blanket claims that charters outperform regular schools. Further, there are widespread concerns that charter schools increase racial and economic segregation and enroll English Language Learners and students with disabilities at lower rates than regular public schools.

H.R. 2218 seems specifically aimed at these critiques, calling for the expansion of "high quality" charters, which it defines as charters with "evidence of strong academic results" and "success in significantly increasing student academic achievement and attainment."

Further, several provisions are aimed at increasing enrollment of traditionally underserved students, including students learning English and students receiving special education services.

Rural implications

Awards would be based, at least in part, on how well the applicant demonstrates their record of achievement, their ability to strengthen a statewide charter system, and their plans for working with charters to monitor academic performance and increase enrollment of underserved students.

The legislation also specifically says that both public and non-profit applicants for grants should "to extent possible" ensure that sub-grants (grants to charter schools) are distributed "throughout different areas, including urban, suburban, and rural areas." Elsewhere the bill says that consideration will be given to how "the entity will support diverse charter school models, including models that serve rural communities" and how the entity will help the charter schools receiving funds "consider the transportation needs of the schools' students."

While the legislation acknowledges rural areas, it does not address specifically rural issues associated with charters. Chief among those is the economic impact of charters on small school districts, which generally suffer under state finance systems driven largely by enrollment. When charters drain students, and therefore per pupil funding, the regular rural school takes a disproportionate hit.

More ironically, states tend to view small size as a positive attribute of charters and generally provide charters with relative flexibility to use small size to their advantage. But states rarely give the same kind of flexibility to rural schools where small size is generally treated as a disadvantage, forcing small rural schools to squander many of their size-related strengths in order to meet state requirements designed for much larger schools. And not infrequently those same requirements are used as justification for closing small rural schools altogether.

H.R. 2218 includes language that charters and regular public schools should share best practices, but nothing suggests that rural schools might offer important lessons or that they might gain any of the flexibility currently reserved for schools with the charter label.

It is not clear if or how the Senate will proceed with this legislation. But it is clear that federal policy is pushing charter schools and that rural communities and school districts will increasingly find themselves grappling with those implications.

Read more:

Read the text of H.R. 2218 here:

- <http://thomas.loc.gov/cgi-bin/t2GPO/http://www.gpo.gov/fdsys/pkg/BILLS-112hr2218rfs/pdf/BILLS-112hr2218rfs.pdf>

In The "Size Matters" Category...

The Missouri State Board of Education voted earlier this month to downgrade the accreditation status of two very small school districts because average student test scores had dropped recently.

The move is a troubling because the small size of both districts means that any short run change in average test scores is as likely due to a random occurrence as anything else.

Read more:

- www.chron.com/news/article/Accreditation-lowered-for-2-rural-Mo-schools-2180252.php

Poverty Increasing in Most States

For decades the percentages of people living poverty in the United States trended downward. That trend has reversed, markedly, since 2000. This [map](#) shows poverty percentages in each of the 50 states since 1980. In most states, the percentage of people living in poverty was lowest in 2000.

See the map:

- <http://lifeinc.today.com/news/2011/09/21/7862311-a-picture-of-poverty-state-by-state>

Key Portion of Alabama Immigration Law Upheld

Although several states have recently enacted far-reaching laws designed to stop or slow down illegal immigration into the country, Alabama's H.B. 56 is touted as the "strongest in the country."

Notable in Alabama's law is the requirement on schools to report on the number of students who did not produce a United States birth certificate or other acceptable proof that they are in the country legally. As in other southern states, a high percentage of Latino immigrants live and attend school in rural communities.

Legislators who supported the bill claimed the provision was intended, not to dissuade children with questionable immigration status from attending school, but to determine how much the state was spending to educate them.

A number of advocacy organizations, nonprofits, and others, including the United States Department of Justice, challenged the law, which was scheduled to go into effect on September 1st, as unconstitutional.

Challengers maintained that H.B. 56 conflicts with a legal doctrine known as preemption, which reserves some regulations exclusively for the federal government and that it violates the 14th Amendment guaranteeing equal protection under the laws.

Challengers also argued that H.B. 56 contradicts previous federal court rulings that prohibit barriers to any child enrolling in school. Typically, schools cannot adopt policies or act in ways that restrict K-12 students' access to education based on real or perceived immigration status.

One of the complaints characterized the law as "pervasive and systemic targeting of a class of citizens through punitive state laws that seek to render every aspect of daily life more difficult and less equal." The complaint stated that the law would "deter Alabamian children in immigrant families...from enrolling in public primary and secondary

education.”

Federal Judge Sharon Blackburn temporarily stopped implementation of the law, saying that she needed until the end of the month to study all the lawsuits filed against HB56.

Earlier this week, Blackburn released her ruling, which let stand key provisions of the law. Some of those provisions include:

- a requirement that schools document and report the immigration status of students;
- authorization for police to conduct immigration checks during routine traffic stops;
- a ban on enforcing contracts with illegal immigrants.

Blackburn's ruling did block several provisions, including:

- criminal penalties for anyone who knowingly or unknowingly harbored, transported, encouraged, or rented to an illegal immigrant;
- ban on illegal immigrants from enrolling in Alabama colleges;
- provision to take away tax benefits for employers who pay salaries to illegal immigrants.

Blackburn's ruling specifically disagreed with a prior federal court ruling that immigration law enforcement was the unique responsibility of the federal government. That ruling was used to block implementation of portions of Arizona's immigration law.

Groups suing the state to block the law included the Hispanic Interest Coalition of Alabama, Alabama Appleseed, the Service Employees International Union, National Immigration Law Center, the ACLU, and Multicultural Education, Training, and Advocacy, Inc. Anti-immigrant legislation has been filed in more than 30 states during 2010 and 2011.

Read more:

State and national coverage:

- <http://abcnews.go.com/US/wireStory?id=14318667>
- http://blogs.edweek.org/edweek/learning-the-language/2011/08/will_al_be_the_next_az_judge_s.html
- http://articles.cnn.com/2011-08-29/us/alabama.immigration.law_1_immigration-law-immigration-status-illegal-immigration?s=PM:US
- www.montgomeryadvertiser.com/article/20110829/NEWS/110829030/Alabama-immigration-law-blocked-by-federal-judge

Opinion piece on the anti-immigration bills:

- www.prwatch.org/node/10980
- www.pbs.org/wnet/religionandethics/episodes/september-23-2011/alabama-immigration-law/9579/

Read the complaint here:

- www.splcenter.org/sites/default/files/downloads/case/AL_Immigration_Law_stamped_Complaint.pdf

School Discipline Policy

Arkansas Considers Changes to Education Programs in Youth Lockups

Across the country community groups and others concerned about young people have begun to push back against the growing trend for schools to use severe and punitive discipline in response to non-violent student misbehavior. Many rural community residents have identified school discipline practices, especially harsh punishments that push students out of school, as a major concern. This series highlights some of the most basic issues in the national conversation about school discipline.

Arkansas legislators are considering whether to shift responsibility for educational programs in the state's eight secure youth lockups from private contractors to local school districts. Currently, local districts educate youth in state-run residential treatment facilities, youth shelters, and county detention facilities. But the Department of Human Services Division of Youth Services (DYS) contracts with private education providers in its eight juvenile correction centers.

Arkansas Education Commissioner Tom Kimbrell met with legislators and admitted not knowing how money is spent for education at the lockups. He also explained that the DYS juvenile centers use a different software than school districts making it nearly impossible for local districts to keep up with students who have been removed from their schools and ordered into the lockups.

Five years ago legislators toured one of the DYS facilities and found a number of problems, including violations of the Individuals with Disabilities Education Act and evidence that psychotropic drugs were administered to youths for restraint purposes. The private company contracted for services at that time was dismissed. The legislators are now revisiting the issue of who provides educational services to incarcerated youth.

The lack of educational opportunities in juvenile correction centers is considered one of many factors contributing to the school to prison pipeline because juvenile lockup is typically the first experience students have with the law enforcement system.

Many studies have documented the failure of secure juvenile facilities to provide adequate educational services, especially to students with disabilities. Because the percentage of students in juvenile facilities who need special education is three to five times higher than in the public school population, many juveniles with disabilities in detention do not receive the educational services to which they are entitled.

Poor governance of education programs in juvenile corrections and a lack of communication between public schools and institutional settings contribute to the problem.

Strengthening academic outcomes for adjudicated youth can improve social outcomes when students are released, reduce recidivism, and reduce the number of students who eventually end up in adult prisons.

Read more:

Local coverage:

- <http://arkansasnews.com/2011/08/23/lawmakers-question-education-in-youth-lockups/>
- http://swtimes.com/site/bios//opinion/we/article_0568998e-cf27-11e0-849a-001cc4c002e0.html

Background articles on the ongoing investigation that have been compiled by Private Corrections Working Group:

- www.privateci.org/arkansas.htm

Rural School Funding News

South Dakota Lawsuit Ends

A group of South Dakota school districts have lost their challenge to the state's school funding formula, but attorneys for the districts say future legal challenges could still succeed.

Earlier this month, the state Supreme Court upheld the constitutionality of the education finance system. Noting that the plaintiffs had to meet a very "high burden" to overcome the presumption of constitutionality, the ruling reads: "They [the plaintiffs] have to show that the state funding system is 'clearly and unmistakably' unconstitutional" and that "there is no reasonable doubt that it violates fundamental constitutional principles."

The justices did not find causation — a link between underfunding and low student performance — as the plaintiffs had hoped. The decision notes that some districts with very low revenues have reasonably good results on test scores and other measures, while some higher spending districts are not as successful.

The funding formula limits increases to the education budget of the larger of inflation growth of 3%, which plaintiff attorneys argued prevents schools from ever making up lost ground. But, the court responded that the state had added one-time money for schools in the budget each of the four years prior to trial.

The court seemed to leave the door open for other types of challenges to South Dakota's school finance system. The decision specifically reads: "The constitutional mandate does not contemplate a system that fails to educate all children or leaves pockets of inadequate conditions and achievement as a result of insufficient funding."

In addition, the court points out, "The plaintiffs' evidence raises serious questions about whether the state aid formula is based on actual costs and whether local taxing procedures and caps might have constitutional implications. The plaintiffs have also shown some groups of students are not achieving at desired levels and that

some districts struggle to provide adequate facilities and qualified teachers.”

However, the ruling prohibits the individual plaintiffs and the South Dakota Coalition of Schools, a group of mostly rural school districts that originally brought the suit, from participating in another such lawsuit for 10 years. Although state law would allow it, the state attorney general has said he will not seek to collect attorney’s fees from the plaintiffs.

Lawsuit background

Originally, the South Dakota Coalition of Schools sued the state, offering as evidence the severe discrepancies in opportunities in underfunded schools, including course offerings, student services, teacher salaries, and building maintenance. (See some of the previous coverage of the case in RSFN [here](#), [here](#), and [here](#).)

Over the course of the case, the plaintiffs suffered several major procedural setbacks. First, then-Governor Mike Rounds ordered an audit of the state’s schools and then other state officials asserted that school districts had illegally used taxpayer money for the lawsuit. The state legislature also tried to ban school funding lawsuits such as this one. The suit ultimately went forward with parents and students rather than school districts as plaintiffs, and the state Supreme Court eventually ruled that school districts did have standing to participate in the lawsuit.

Funding for schools in South Dakota have been reduced by as much as 6.6% in recent years. In response, schools have made extensive cuts to programs and staff, and a quarter of all school districts are using some form of abbreviated schedule, usually a four-day school week, to reduce expenses.

Education groups are now turning their attention to legislative efforts and hope to successfully lobby for a sales tax increase on the 2012 ballot. The initiative currently underway is called ‘Moving South Dakota Forward’ and would enact a one-cent sales tax increase to be used for education and Medicaid in the state.

Read more:

Local coverage:

- www.argusleader.com/article/20110902/NEWS/109020320/Schools-funding-complaint-rejected
- www.argusleader.com/article/20110913/NEWS/109130319/State-won-t-recoup-cost-education-lawsuit
- www.chron.com/news/article/State-will-not-seek-fees-in-school-funding-lawsuit-2166777.php

Read the decision here:

- www.sdjudicial.com/Uploads/opinions/25330.pdf

Local coverage of other funding issues:

- www.foxnews.com/us/2011/08/21/south-dakota-schools-cut-costs-with-4-day-week/
- www.argusleader.com/article/20110907/NEWS/109070325/Uncertain-funding-trips-up-schools

Coverage of sales tax increase initiative:

- www.keloland.com/NewsDetail6162.cfm?Id=0,118940
- www.movingsdforward.com/

Committee Releases Initial Proposals for School Funding in Georgia

A committee to review Georgia’s main school funding mechanism, the Quality Basic Education Act (QBE), released initial recommendations earlier this month. Those recommendations include increasing funding for technology and leadership training, expanding the number of school nurses and improving nurses’ salaries, and ending Georgia’s “65% rule,” which requires that at least 65% of education funding be directed toward classroom expenses.

The committee, which is made up of lawmakers, educators, public officials, and business leaders, was created by the state legislature to come up with revisions to the QBE. QBE was enacted in 1985 and has never been altered, although five previous committees have been convened to study it. Final recommendations from the current committee are required by September 30, 2012, and proposed legislation is due by December 31, 2012.

The state has made more than \$1 billion in “austerity” cuts to the K–12 education budget. As a result, school systems have been forced to cut programs and furlough teachers. Further, equalization grants for low-wealth, mostly rural, schools systems that have little ability to generate local revenue have been cut by \$200 million, from \$600 million to \$400 million.

Meanwhile, Governor Nathan Deal has promised his own education reform plan that he says will dovetail with the work of the committee. His first recommendation is to create a program to provide extra pay to teachers of reading in the early grades. Deal has not released details, but he has suggested the program might be similar to another program that attempts to increase the number of math and science teachers through a salary boost.

Read more:

Local coverage of the Committee's work and other funding recommendations:

- www.ajc.com/news/committee-begins-to-scrutinize-993577.html
- www.ajc.com/news/state-panel-recommends-more-1142183.html
- www.ajc.com/news/georgia-politics-elections/reading-climbs-priority-ladder-1156769.html

Editorial commentary on the role of the Committee:

- http://onlineathens.com/stories/082911/opi_878194372.shtml
- http://onlineathens.com/stories/090711/opi_882183929.shtml

Arizona Revisits Consolidation

Arizona's Joint Legislative Study Committee on Unification and Consolidation has a five-month timetable for drafting recommendations and options for Arizona's 227 school districts. In Arizona, 'unification' merges high school and elementary school districts to form a K-12 district, while consolidation combines elementary-only, high-school-only, or K-12 districts with others of the same type.

Several legislators have suggested consolidation and unification could save money. Arizona has cut funding for K-12 education by \$1 billion over the past three years. In 2008, Arizona voters overwhelmingly turned down proposals to combine 76 elementary and high school districts into 27 unified districts, but consolidation proponents think results might be different in the current fiscal climate.

Several issues have emerged during the panel's discussions including problems aligning different salary schedules and property tax rates, governance of new districts, personnel decisions, and a contradiction between the purported savings accomplished by mergers and rhetoric supporting charter schools as smaller and more cost-efficient than regular public schools.

So far, the Committee has not suggested forcing mergers or offering state financial incentives, but some superintendents have said they would need monetary assistance in order to carry out district mergers. The Arizona affiliate of the national advocacy organization Stand for Children has recommended performance-based triggers for consolidation.

Read more:

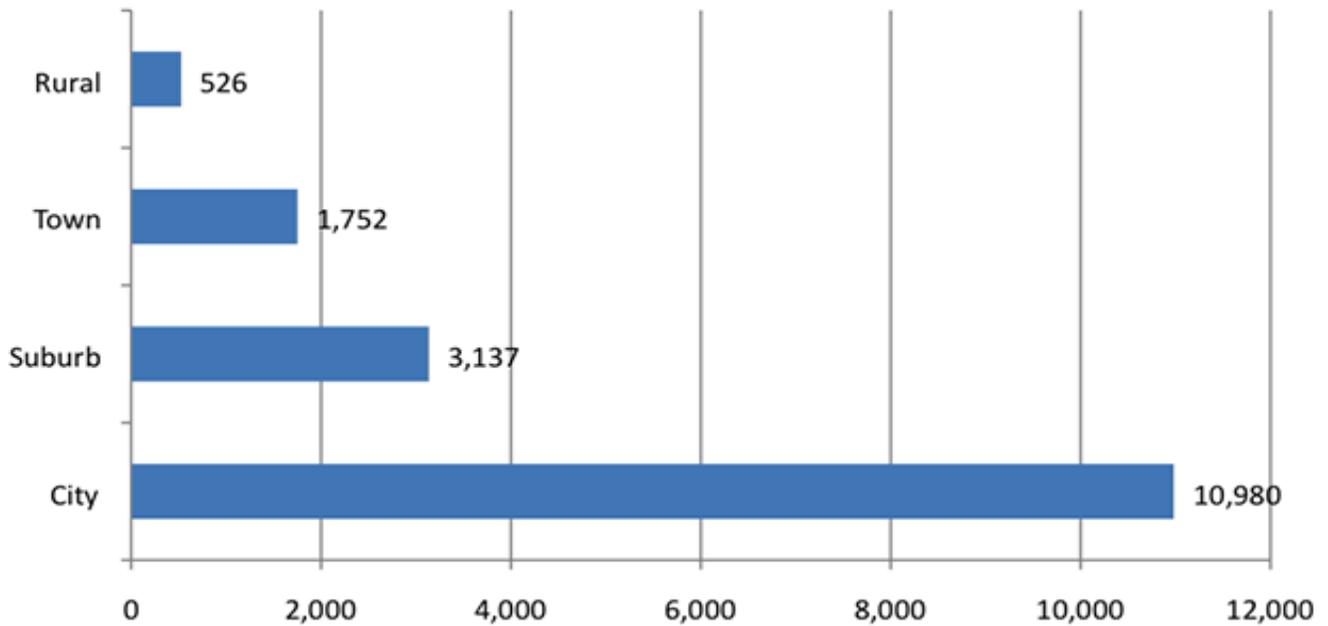
Local coverage:

- http://findarticles.com/p/news-articles/arizona-capitol-times/mi_8079/is_20110727/arizona-school-district-consolidation-unification/ai_n57939279/
- www.eastvalleytribune.com/arizona/article_b1296126-d383-11e0-9305-001cc4c03286.html
- www.azcentral.com/community/gilbert/articles/2011/09/08/20110908gilbert-panelists-school-district-consolidation-issues.html
- <http://tucsoncitizen.com/arizona-news/2011/08/31/arizona-school-chiefs-talk-benefits-obstacles-to-district-unification/>



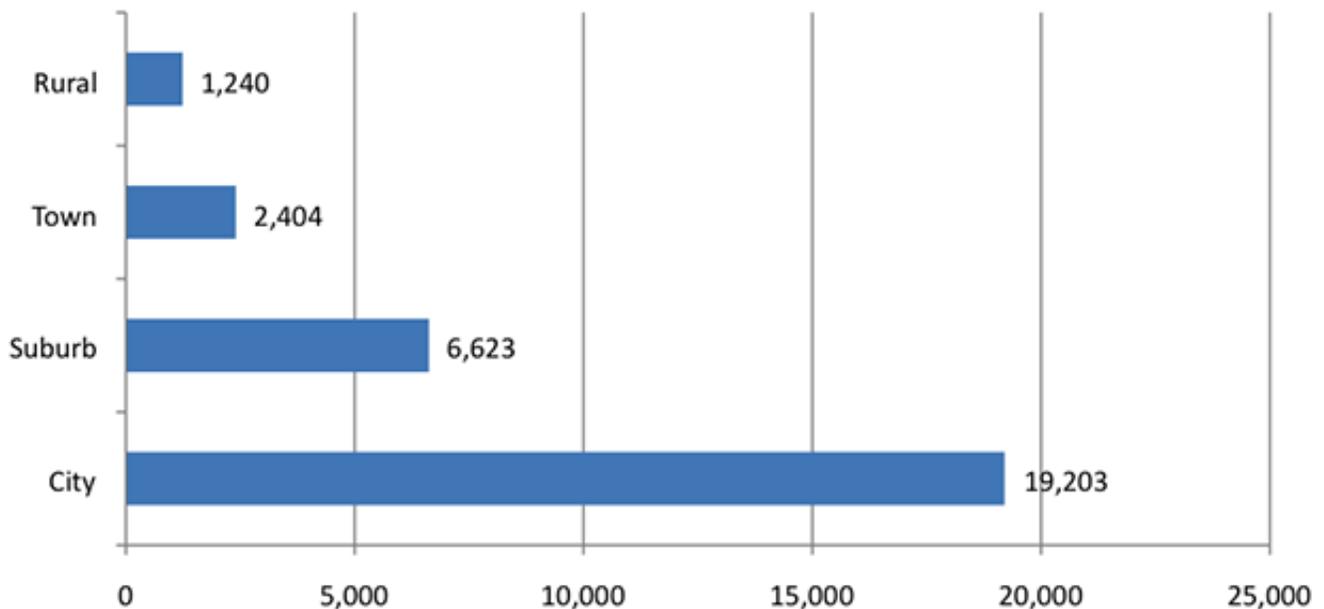
School District Enrollment by Locale, 2009-10

Median district enrollment, 2009-10



The "median" enrollment represents the midpoint when all school districts are ranked by enrollment. In other words, half of all rural school districts enroll 526 students or less and half enroll more than 526 students.

Average district enrollment, 2009-10



Data source: 2009-2010 Common Core of Data, National Center for Education Statistics, US Department of Education.

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Comments, questions, and contributions for Rural Policy Matters should be sent to:

Policy Program

Marty Strange, Director
41 Graham Street | Bethel, VT 05032
Phone: (802) 728-5899 | Fax: (802) 728-2011
E-mail: policy.program@ruraledu.org

Robin Lambert, Editor
E-mail: editor@ruraledu.org

National Office

4455 Connecticut Avenue, NW | Suite 310
Washington, D.C. 20008
Tel: (202) 822-3919 | Fax: (202) 872-4050
E-mail: info@ruraledu.org

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