



## Printable Edition

**Note:** This resource includes all articles from the October 2012 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.*

## The Health and Future of Our Community

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In Jackman, Maine high school students staff a tech support program that provides the only computer repair and setup services within 70 miles. Middle schoolers and elementary students operate a greenhouse and community garden with a goal of improving nutritional options for local residents. "Both of these projects are serving a pocket of need," explains Denise Plante, principal of [Forest Hills Consolidated School](#) (K-12) in Jackman.

The Jackman students' efforts are examples of rural young people taking action to improve the economic prospects of their communities. The projects were initiated as part of the Rural Trust's Youth-Led Poverty Reduction program that supports schools and communities in connecting students' academic work to community needs.

The phrase "Youth-Led Poverty Reduction" was coined by Rural Trust President Doris Terry Williams and reflects the commitment of the Trust to place-based approaches that improve both the quality of education and the quality of life in the local community. It also recognizes that many rural communities are dealing with poverty. In some communities it is long-term poverty entrenched by historical circumstance; in some other communities, it is increasing poverty levels that result from shifts in rural economies, public policy, and global trends.

Youth-Led Poverty Reduction, like place-based education in general, is an efficient and effective strategy for improving student achievement and local communities simultaneously," says Williams. "Students do sustained work that is aligned with both community needs and core standards. This is especially important in high-poverty communities where student work fills service voids, increases social capital, and attracts and retains 'wealth' in their local place."

### J-Tech: Student-led technology support

The J-Tech program began three years ago at Forest Hills Consolidated School. The program provides computer repair and setup services to residents and businesses in Jackman and surrounding communities. It also refurbishes donated computers and provides them free of charge to local residents. Nineteen (a full 20%) of the school's 192 students participate.

Derek Hussey is technology coordinator for the SAD 12 school district (along with two other rural districts) and advisor for J-Tech. "The students repair laptops, desktops, iPad, iPods, and smart phones," he explains.

Students are responsible for all aspects of the business. "They do it all, end-to-end," says Hussey, "invoicing, receipting, budgeting, policy development." (You can see a copy of the invoice form that students use to track their work [here](#).)

Bailey Brown, a Forest Hills senior, is J-Tech's manager. "I got involved as a freshman," she explains. "I've always been interested in computers."

As Manager, Brown is responsible for making sure the program is running smoothly, selecting the assistant manager, and organizing regular meetings of the staff in which students develop policy and vote on important issues. Brown is also responsible for the program's budget and does most repairs on iPods.

The program is open three days a week for two hours and through the summer. Residents can drop off their technology during business hours. J-Tech charges a \$10 fee for all services plus the cost of parts. Brown says that it is much less expensive for residents that taking their computers to a manufacturer's retail outlet. "And we're right here in town," she adds.

The fees go into the J-Tech account to cover business expenses. One of those expenses — in the J-Tech business model — is the cost of repairing donated computers. "Sometimes people give us their old computers when they get a new one," explains Hussey. "Agencies have also donated computers. We received 20 computers from the U.S. Customs."

Students refurbish and update the computers, and community residents can sign up to receive one of them.

Students also decide how to spend some of their profits. "Last year they voted to buy office chairs and they have celebrated their successes with a party," says Hussey.

J-Tech also incurs another important business expense: student stipends. Students earn a \$4 stipend for each work session. (Manager and Assistant Manager earn \$6 and \$5, respectively.) The "pay" is deposited into a college account managed by the Jackman Region Community Association (JRCA), one of J-Tech's community partners. "You can use it for any college expense or if you are going into the military," explains Brown.

Students can also earn a laptop computer. Again, Brown: "The four core J-Tech members who worked through the summer all received a laptop. If we want to keep it, we have to work two sessions each week all year."

In addition to JRCA, J-Tech's community partners include the Jackman Region Leadership Team, the Jackman Chamber of Commerce, the towns of Jackman and Moose River and several businesses including stores, a lumber company, and the local motel.

J-Tech is providing a service that helps local residents get and stay connected digitally. It is making enough money to be self-sufficient and to help seed other place-based learning projects. In addition, students are learning valuable technology skills along with essential business skills that can translate into other entrepreneurial efforts.

"We hope one of our graduates will put J-Tech out of business," laughs Plante. "Same with some of our other efforts. We want the school to be supporting the overall health and future of our community."

And if a Forest Hills alumnus sets up a business that ends the local need for J-Tech? It won't mean that students won't have other opportunities to learn valuable entrepreneurial skills.

## Green Team

The Green Team started as part of the school's Learn 2 Live After School and Summer program. "We wanted to bring gardening into the curriculum," explains Plante. "At the same time members of the school board and high school science students were investigating ways the school could reduce our fossil fuel consumption and energy use."

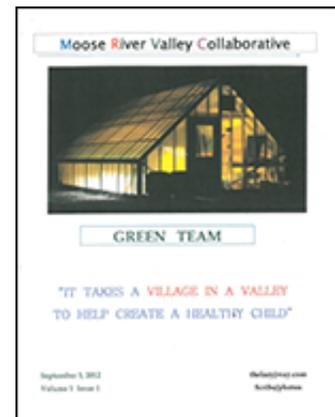
Eventually the two groups merged and the Green Team was formed. "The Green Team is made of many people," says Learn 2 Live Coordinator Heather Sylvester. "There are representatives of the water district, Extension Office, and Food Corps, along with local gardeners, health professionals, and other community residents."

The Green Team decided to create a school-community partnership to focus on food production. "The weather is really cold in our community, and we are also isolated, so we don't have great year round access to fruits and vegetables at a reasonable cost," says Plante.

Last year, with a small grant from the Maine Community Foundation and the Rural Trust, students in the school's shop class built a greenhouse and a series of raised and ground level planting beds. And the program took off.

With the leadership of community volunteers and students through the summer, the greenhouse produced enough food to serve in the school cafeteria. "We've had tomatoes, herbs, cucumbers, pumpkins, peppers, potatoes, squash, and zucchini," says Sylvester.

Students in 4th through 8th grades, in partnership with community volunteers, do much of the management of the greenhouse and care and harvesting of the plants. Students in 3rd grade have started a sensory garden and a clear-bottle root garden in their classroom. The school is currently exploring ways to grow produce year round in the



*The Moose River Valley Collaborative devoted the September 5th issue of its newsletter to the Green Team.*

greenhouse without increasing energy consumption.

The success of the Green Team is overlapping with other community interests. For example, the school has replaced its oil burners with wood pellet burners and reduced both its energy consumption and expense considerably. There is a growing compatibility between the goals of the school and community around health issues.

"Parents and local health professionals were pushing us to look at our wellness program, in part because of the prevalence of diabetes and other health issues," says Plante. "As part of that effort we're increasing fruits and vegetables in the school's food services. And our head cook is implementing new federal guidelines for reducing sugar, sodium, and saturated fats. We also want to increase activity levels and replace food rewards with activity rewards."

As with J-Tech, the Green Team's goals extend beyond the school. "We want to grow more farmers in the community," says Plante. "Farmers are aging out, so we want to teach our kids about how easy and wonderful it is to grow your own food."

And what else is the school doing? "We've applied for a Farm to School federal grant," says Plante. "There are some local people who want to get started in farming. If the school can buy from them it helps build a stronger base for their fledgling efforts. If they succeed, the whole community gets better access to healthier food."

The health and future of the community. Indeed.

*The Moose River Valley Collaborative devoted the September 5th issue of its newsletter to the Green Team. You can access the newsletter and see great photos of the Team's progress [here](#).*

## Voters Consider Ballot Initiatives on Education

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

Voters in a number of states are being asked to vote on a range of ballot initiatives, many related to K–12 education. The ballot initiative enables citizens to vote directly on specific changes to state law or constitutions.

Education initiatives on the ballot this year fall into four general categories: school funding, teachers, charter schools, and tax limitations. A few states have initiatives that fall outside these categories. Language in some of the measures is confusing, even misleading. In some states competing proposals are difficult to distinguish.

Here's the *RPM* overview of this year's education ballot initiatives.

**School funding:** In **Arizona**, *Proposition 204* would extend a 1-cent sales tax, which would provide more than \$600 million for K–12 schools. *Proposition 118* would increase the amount of funding transferred to schools from a state trust by \$10 million.

In **California**, competing propositions would increase personal income taxes, but *Proposition 30* would increase taxes for those making over \$250,000 a year while *Proposition 38* would increase taxes for those making over \$7,316.

In **Missouri**, *Proposition B* would raise tobacco taxes and distribute some of the revenue to K–12 schools. And in **Oregon**, *Measure 85* would direct receipts from corporate-income and excise taxes that exceed projections to schools rather than back to the private sector.

**Charter schools:** **Georgia** has one of the more confusing initiatives on its ballot this year. *Resolution 1162* reads: "Shall the Constitution of Georgia be amended to allow state or local approval of public charter schools upon the request of local communities?" But Georgia's constitution already empowers the state and local school boards to authorize charter schools. The amendment would re-create a charter school commission that was ruled unconstitutional earlier this year. That commission could place charters in communities and guarantee funding without approval of local boards or the state.

In **Washington State**, which does not currently have charter school legislation, *Initiative 1240* would authorize local boards or a new state commission to approve up to 40 charter schools over the next five years.

**Teachers:** Some of the most heated state political battles in recent years have occurred as legislatures have attempted (in some cases succeeding) to scale back teacher tenure and bargaining rights and implementing new evaluation and pay systems that tie teacher pay and job security to the test scores of their students.

The most sweeping changes, arguably, were made last year in **Idaho**, where the legislature dramatically curtailed tenure, ended the ability of teachers to bargain collectively on most issues and established a pay-for-performance

system. It also established a student laptop program paid for in part by reductions in teacher salaries. Three separate ballot measures would repeal these laws — but only if voters cast "no" votes. A no vote on *Proposition 1* would repeal the law that restricts teachers' collective bargaining rights. A no vote on *Proposition 2* would end the pay-for-performance system, and a no vote on *Proposition 3* would end the mandate that high school students have access to laptops. *Proposition 3* is the most confusing to many voters who don't connect the program to reductions in teacher salaries.

**South Dakota** also passed major changes to teacher law last year when it ended teacher tenure, created a teacher evaluation system based on student test scores, and implemented a pay bonus program for teachers. *Referred Law 16* would repeal those measures. In **Michigan**, *Proposal 2* would make collective bargaining a right for public and private workers.

**Tax, Revenue, or Spending Limitations:** States use a variety of measures to limit taxes or funding increases for public services. Tax-related ballot initiatives are often not directly publicized as education measures, but many such measures have the effect of curtailing investment in education by capping taxes and/or limiting revenues or spending. Such measures can restrict the abilities of states and localities to respond to unforeseen financial circumstances. A variety of states have some kind of tax limitation on their ballots. Not all of these will directly impact schools, but many have that potential.

**Alabama's** *Amendment 2* would limit general obligation bonds to no more than \$750 million. Alabama covers most school construction and renovation with state general obligation bonds.

In **Arizona**, *Proposition 116* would provide tax breaks to businesses for newly acquired equipment and *Proposition 117* would limit growth in value of locally assessed properties. **Florida** has several tax or revenue-related initiatives, including *Amendments 3, 4, 10, and 11*.

In **Louisiana**, *Amendment 8* would allow local governments to extend property tax exemptions to certain businesses. **Michigan's** *Proposal 5* would require a two-thirds legislative vote or statewide vote to increase state taxes. **New Hampshire's** *CACR 13* would prohibit personal income taxes. In **Ohio**, *State Question 758* would prevent annual increases in property taxes and *State Question 766* would abolish property taxes on intangible property.

**Oregon's** *Measure 79* would ban real estate transfer taxes and *Measure 84* would phase out estate and inheritance taxes. (*Measure 85* could be viewed as a reversal of a revenue limitation because rather than returning revenues collected in excess of projections, that money would be directed to schools.) In **Washington**, *Initiative 1185* would require either a two-thirds vote of the legislature or a ballot initiative to raise taxes.

**Other:** Several states have ballot initiatives that address something specific to the state's history or circumstance.

One of the most confusing of all ballot initiatives is **Alabama's** *Amendment 4*. This proposed amendment has been touted as removing segregationist language inserted in the state constitution in the 1950s. But critics say the new language will weaken the state's already thin education clause and could become the basis for reducing the state's commitment to public education. Several prominent advocacy groups and the Alabama Education Association are urging residents to vote "no" on this amendment.

**Illinois**, which has famously failed to fund its state pension systems adequately, has a ballot initiative, *HJRCA 49*, that would make it more difficult to increase the benefits of any pension or retirement system in the state.

*Read more:*

Education Week coverage:

- [www.edweek.org/ew/articles/2012/09/26/05ballot.h32.html?qs=state+ballot+initiatives](http://www.edweek.org/ew/articles/2012/09/26/05ballot.h32.html?qs=state+ballot+initiatives)

Compilation of ballot measures:

- [www.ballotpedia.org](http://www.ballotpedia.org).

## Arizona School Using Culture and Innovative Math Project to Boost Student Success

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

Talk to Mark Sorensen, principal of [STAR School](#) in northern Arizona, and he will make sure you understand that the school — its curriculum and relationships — are rooted in the Native cultures of the Navajo students who comprise

most of the school's student body.

"We want the school to reflect the core values that come from deep Navajo tradition: respect, responsibility, relationship, and reason," says Sorensen.

In fact, the school's name reflects these values. STAR is an acronym for Service To All Relations.

The school, located on the edge of the Navajo Nation in northern Arizona, is also completely off the grid. "There are no power lines coming through. The school is wind and solar powered. And that also fits with the school's desire to honor the four Navajo elements: air, fire, earth, and water," Sorensen explains, adding that the school's off-grid status does not mean it lacks technology.

STAR's commitment to honoring its students, their community, culture, and place has garnered national attention, including recent recognition as one of *Scholastic Parent & Child Magazine's* ["Coolest Schools in America."](#)

When the school earned a highly-rated ranking in the federal Investing in Innovation (i3) grant program, it was for its proposal to work with other Native American and Native Hawaiian schools to implement similar approaches, particularly in math education for youth children.

Ultimately, STAR did not win federal i3 funding, but its proposal captured the attention of the Rural Trust, which brokered partial funding for the program, in part because of its value as an innovation useful to other rural schools.

### **STAR's 3 to 3rd Math Project**

To understand how STAR got to its highly successful program to improve overall achievement, you have to go back in time a bit.

As in many rural communities, especially those where cultural traditions and sustainable economies have been disrupted, children were arriving at kindergarten without all the skills they needed.

"Our kids were coming to kindergarten a year and a half behind in math and reading," says Sorensen. That led the school to the idea of starting a pre-kindergarten program.

"We were looking around for a pre-K approach. Montessori became an attractive option because it emphasizes student choice. Children are given a lot more choice in Navajo homes than in dominant culture households," Sorensen explains. "There's not an attitude that children should be quiet and wait for adults. Also, kids have a lot of responsibility at home, including caring for younger siblings. So there's an expectation of choice and responsibility."

He continues, "People think of Montessori as a option for affluent parents, but it's a good fit for us, too. It's an approach in which teachers are facilitators of student learning through a discovery process. And, the quality of the materials is really good."

While the school was exploring the kind of pre-K program it wanted to establish, staff found research indicating that early math achievement was more predictive of future school success than reading achievement. That led to a decision to emphasize math in the emerging pre-K program for three and four year olds.

"The kids have gaps in math concepts," says Sorensen. "And a lot of teachers don't feel confident in their own understanding of math concepts. But because the Montessori materials are so good and teachers work as facilitators, children interact with the materials and discover the concepts. It's amazing to see a young child hold up a sphere and say, 'this is a geometric solid.' "

These kinds of hands-on experiences are especially important for students like those who attend STAR. "It's not that kids in poverty have fewer innate skills, it's that they don't have the language to identify the concepts," says Sorensen. "This approach is tactile. By interacting with the materials the kids gain a kinesthetic understanding and appropriate math language that is connected to that understanding. It's why they do so much better. And the pre-K teachers also like it and become much more confident. We are seeing two years of growth for every year in the program. It's addressing the deficits."

### **Expanding: Up and Out**

Leaders at STAR recognized that the success its youngest three- and four-year-old students were experiencing should be shared. That led to the idea to extend the program into higher grade levels and the name "3 to 3rd Math Project." It also drove STAR to explore how it could share its successes with other schools.

Sorensen explains, "Students in Native American schools on reservations are performing less well than any other subgroup on NCLB tests. That means students with high Native American enrollment tend to focus on reading. And because of the punishing aspects of NCLB, these schools are forced into scripted reading programs focused on test results. So the idea of choosing math as an effective way of improving achievement overall became, almost by

neglect, a way to get a foot in the door to work with other schools."

At the same time Sorensen says it became obvious that having a dynamic pre-K program was not sufficient and that changes needed to be implemented through the third grade. So the school used the same thinking and values it had used in the rest of its program to develop deeply culturally rooted ways to change its math instruction.

"We've developed an approach that uses cultural adaptation and Navajo language, a focus on place, and Montessori approaches and materials," explains Sorensen.

### **Initial Hitches**

Despite STAR's success with its math program in pre-K and kindergarten, there were snags extending it to 2nd and 3rd grades and to other schools. "Arizona starts standardized testing in 2nd grade, so it's really difficult for teachers in those grades, even teachers whose philosophy matches the overall goals of the program, to give up the standardized curriculum. It's a cultural shift," says Sorensen.

It can be an even bigger leap for schools that have not had prior success and are facing NCLB sanctions.

But STAR had closely tracked student outcomes in pre-K through 1st grade and was able to demonstrate the approach's impact. And support from the Rural Trust grant enabled the school to provide teachers with professional development in Montessori approaches through online classes and to put the Montessori materials in their classrooms.

"The testing mentality has been so powerful for the last twenty years," says Sorensen. "But it's a losing proposition for kids from communities like ours to be judged just by the criteria of the tests."

The Montessori-based approach that STAR has developed is breaking the testing stranglehold, both by broadening the opportunities for students to learn and demonstrate success and by improving their performance on the tests themselves.

There have been additional challenges in extending the program to other schools. The Rural Trust grant has been important but not nearly so large as the federal i3 grant would have been. And several schools in Hawaii and Arizona that were planning to participate have lost funding for their pre-school programs, casualties of state funding decisions. That means STAR has had to re-direct some of its efforts.

### **Successes**

The 3 to 3rd Math Project is now fully underway and succeeding at STAR. And while STAR negotiates new partnerships to extend the program to other schools, it is developing a series of twelve DVDs, each one on a specific aspect of the program. "We've discovered that if you get access to high quality early childhood and good training for teachers you can have a really big and long-lasting impact," says Sorensen. "We hope other rural schools will be able to use the DVDs and get access to Montessori materials to implement the program."

The first three DVDs are available on STAR's [website](#). Other schools can use them to learn about the program and explore its possibilities for their own students.

"It's so clear that students in communities like ours don't have opportunities to interact with math materials in their homes," says Sorensen. "There are not libraries here. If the students are not exposed at school, they won't get it."

Sorensen recognizes that the Montessori materials are expensive and that teachers need training to shift their role from that of direct instructors to learning facilitators. He knows that students in high-poverty communities *need more* access to good materials but actually *have less* access to school resources than their more affluent peers. That's part of the work STAR wants to do to help other schools implement the program. "There needs to be more investment in schools. We would like to get this out to a larger audience, but that will take more support."

He also knows that if schools in high-poverty communities had more freedom and flexibility, many could use the resources available to them in more productive ways. "You have to have some resources and vision, and schools may need some guidance, but if they have support instead of someone breathing down their neck, great things can happen," Sorensen says.

"Parents are amazed at how much their kids can learn in school," he adds. "We are hoping to show that education in schools like ours can be done well. It can be really great. And you don't have to be rich to do it. It's not rocket science. You don't have to have that much technology. We just put the pieces together in a unique way."

*Learn more about STAR School, its award-winning media and energy programs, its Navajo Language and American Sign Language programs, and other innovations at its website at [www.starschool.org/](http://www.starschool.org/).*

## The Rules We Play By, Part 2: Who Makes the Rules?

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

"Who Makes the Rules?" is the second in the RPM series "The Rules We Play By," which explores the way public policy affects local schools. You can read Part I [here](#).

In the United States public education is governed at the state level. That does not mean that the federal government has no say in schools. Nor does it mean that local communities have no say. But it does mean that states set the basic framework in which schools operate.

All 50 states have some language, known as the "education clause," in their constitutions that provides for public education. State legislatures on the primary governing bodies that establish the education "rules" for their states.

Within the state framework state and local boards, state departments of education, school district offices, local schools, and, in some states, parent and community organizations have varying levels of responsibility and authority. There's some variation among states, and even within states the question of who's-responsible-for-what can be confusing, especially for parents and community residents not accustomed to working within the education system.

*RPM* offers the following descriptions to help explain the different level of education governance and responsibility.

**State Legislatures.** Because American education is vested at the state level, state legislatures are responsible for enacting the laws that govern education. The biggest single responsibility of legislatures in terms of schools is to see that education is funded. Therefore, legislatures enact the laws that determine how revenue is collected for schools and the laws that govern the state's finance system through which revenue is distributed to local school districts.

Legislatures also have the very consequential task of establishing the state's tax policies. State law determines what taxes are collected, whether there are caps or other restrictions on how taxes can be increased, and how tax revenues are allocated in the state budget.

In most states, legislatures are also responsible for enacting laws related to mandatory school age and attendance and length of school year. So, for example, a state may have a law that requires all children to be enrolled in school by the time they are seven years old or requires all schools to hold classes at least 175 days each year.

In many states, legislatures set teacher salary scales (at least for the portion of salary that is covered by state funding). Increasingly, legislatures are also wading into new waters around teacher issues, including tenure and evaluation, pay-for-performance, and bargaining rights.

Legislatures also establish how schools are organized. They may set minimum school sizes or maximum student-teacher ratios, for example. And, they usually govern the state's "choice" options, including charter laws, homeschooling options, private school tax exemptions, and vouchers.

Disputes over state law are generally taken to state courts. Upcoming installments in this series will address how policy is shaped.

**Ballot Initiatives.** Almost all states have some provision that allows citizens to bring a law directly to the public to be voted on through a process generally referred to as a ballot initiative. Although relatively few laws are made in this fashion, initiatives can be powerful tools for setting policy. See [Voters Consider Ballot Initiatives on Education](#) in this issue of *RPM* for examples of initiatives on state ballots in this election cycle.

**State Boards of Education.** While state legislatures set the legal framework within which schools operate, State Boards of Education have responsibility for interpreting the law and providing policy leadership to determine how aspects of the state's education law will be implemented. This responsibility generally gives State Boards broad regulatory authority for determining how policies will actually be implemented.

Depending on the state, members of the State Board are elected or appointed or include a mix. State Boards generally establish standards, review and adopt curriculum and statewide assessments, and approve textbooks and other instructional materials. In some states, State Boards are charged with approving charter schools. In some states, they also have authority over some aspects of post-secondary education. In most states, the State Board of Education is responsible for overseeing the State Superintendent of Education.

**State Superintendents.** State Superintendents of education, also known as commissioners or chief school officers depending on the state, have primary supervisory responsibility for most aspects of K-12 public education. Their duties and responsibilities are spelled out in state law and generally include implementing state laws and State Board policies. In many states Superintendents have significant authority to interpret policy and develop programs. Many State Superintendents recommend programs and policies for Board consideration. In most states, the Superintendent has broad authority to develop programs within policy frameworks, decide controversies, and make and enforce

decisions that affect local schools. The State Superintendent is also the head of the State Department of Education.

**State Departments of Education.** State education departments are in most cases established by state constitutions and their powers and duties are spelled out in state law. These generally include administration of assessments, school/district data collection and management, teacher certification, programs of financial management, and curriculum development. State departments oversee federal programs including special education (IDEA), McKinney-Vento Homeless Assistance Act, and Title I and are responsible for making sure programs are managed well at the district level. In some states, Departments of Education largely serve an enforcement role, making sure schools and districts are complying with state requirements. In other states, Departments of Education take a more assistive role, helping schools and districts implement state programs and develop locally-based programs.

**Local boards.** Local boards of education are generally elected. They are responsible for developing and implementing policy at the local level. In many states local boards are involved in hiring and termination decisions for staff, particularly the local school superintendent. They are also involved in discipline policy, including suspensions and expulsions; development of the district's budgets; and a range of local curriculum and program decisions. In some states, local school boards have taxing authority. Local school boards are the primary means of school governance at the district level.

**Local school superintendent.** The school superintendent is the chief officer and instructional leader for the school district. Superintendents generally report to and often lead the local school board. In many rural districts, the superintendent also serves in one or more additional roles, roles as varied as principal, teacher, and bus driver.

**Local central (district) office.** The central office is comprised of the district leaders that implement programs and policy. Central office staff in many districts are responsible for curriculum development; transportation; local administration of and compliance with federal programs; data collection and reporting; professional development for teachers; grant writing and administration; and other duties. In many rural districts, especially those that are small and/or low wealth, central offices are very small and staff may serve multiple roles.

**Local school.** Depending on the state and the school district, local schools can have considerable authority in establishing policy. In some states, local schools are responsible for hiring and evaluating staff, establishing most school policies, working with parents and local communities, developing curriculum, overseeing student activities, and establishing their schedules. In other states, local schools have much less autonomy.

**Federal branches.** Although the primary unit of education governance in the U.S. is the state, the federal government, in all three of its branches, plays an important role. Federal courts interpret and enforce constitutional rights, for example Title IX requiring schools to provide equitable sports opportunities for girls. Congress writes and funds the Elementary and Secondary Education Act (ESEA), which is currently known as No Child Left Behind. ESEA includes a number of programs that provide funding to schools and states, including Title I support for students facing severe educational challenges. Congress also writes and funds the Individuals with Disabilities Education Act (IDEA), which governs special education. Several federal agencies interpret and implement federal law. Most prominent is the U.S. Department of Education, which implements ESEA, IDEA, REAP (Rural Education Achievement Program) and other programs. The Department also develops programs of its own, for example, Race to the Top and Investing in Innovation (i3). Other federal agencies are also involved in schools. The U.S. Department of Agriculture administers the school lunch and breakfast programs as well as many vocational programs. And other agencies offer voluntary programs for schools.

At each level of policymaking there are usually opportunities for public involvement. Sometimes citizen involvement is mandated through required hearings, citizen oversight committees, or other mechanisms. In almost all cases involving public policy, citizens have the right to information and to opportunities to observe and/or participate in the process in some way.

**A policy example:** As an example of how these different players are involved in educational policymaking, we will take a quick look at the case of special education.

**Congress** writes (and updates or re-authorizes) the Individuals with Disabilities Education Act (IDEA) defining what states must do for students with disabilities; Congress also allocates funding to states for special education.

The **State Board** creates categories of exceptionality and writes the regulations governing the state's special education programs.

The **state legislature** determines funding levels for schools and how much the state will allocate to districts to supplement federal funding for students with special needs.

The **state education department** distributes federal funding, oversees special education programs, and enforces regulations.

**Local school boards** allocate funding among schools. In some states, local boards are also responsible for hiring and assigning special education teachers and approving specific aspects of the district's special education program, for example, where self-contained classrooms will be located or how the district might partner with another district to provide services to students with severe disabilities.

The **local central office** administers the special education program, works with schools and teachers to implement programs, and distributes resources.

The **local school** works directly with parents on student placements, school-level discipline, and other issues immediately affecting the student.

**Parents** are required to participate in and shape meetings and decisions about their special student's educational program. **Citizens** who have special knowledge about the student may also be asked to participate.

*In the next installment of "The Rules We Play By," RPM will examine how policymaking is shaped by public involvement.*

*Read more:*

U.S. Department of Education

- [www.ed.gov/](http://www.ed.gov/)

National Council of State Legislatures

- [www.ncsl.org](http://www.ncsl.org)

Council of Chief State School Officers

- [www.ccsso.org/](http://www.ccsso.org/)

National Association of State Boards of Education

- <http://nasbe.org/>

National School Boards Association

- [www.nsba.org/](http://www.nsba.org/)

## **Marty Strange Wins Research Award for Title I Analysis**

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Marty Strange is the recipient of the Stanley A. Brzezinski Memorial Rural Education Research Award. The award is given annually by the National Rural Education Association in recognition of education research that "addresses significant rural issues and makes notable contributions to the knowledge base of rural education."

Strange won the award for his analysis of the Title I formulas, specifically the number weighting system, which directs more funding per child living in extreme poverty to large districts, often with low poverty rates, than to smaller districts, often with very high poverty rates.

Strange is the former Policy Director of the Rural School and Community Trust.

You can read more of Strange's analysis at the Formula Fairness Campaign at [www.formulafairness.com](http://www.formulafairness.com).

## **School Turnaround Policies Unlikely to Improve Student Performance, According to Report**

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

A new report from the [National Education Policy Center](http://www.nepc.org) analyzes nearly 30 years of research on high-stakes testing and school improvement strategies and concludes that many current reforms are not likely to be effective and may prove counter-productive.

The report, "[Pursuing Equity and Learning from Evidence](#)," issued October 1, specifically addresses "turnaround" strategies mandated for low-performing schools that receive federal School Improvement Grants. These strategies include major changes in staffing and a variety of technical interventions. Their success is measured exclusively on the basis of test scores.

"Pursuing Equity" argues that wholesale staffing changes are destabilizing, that test-based measures are too narrow, and that the knowledge and contributions of parents and communities are not included in the development and implementation of reforms. Further, the report argues that claims of turnaround successes are often selective and based on methodologically flawed research approaches.

As an alternative to these approaches, the report references additional research, including research on community organizing, to suggest that educational improvements are more likely to result from investments that support teachers and create adequate and stable financial support for schools. It also argues that engagement of parents and communities is critical to sustainable educational improvements and better serves the democratic purposes of public education.

*Read more:*

You can find the policy brief along with a legislative brief here:

- <http://nepc.colorado.edu/newsletter/2012/09/democratic-school-turnarounds>

## **Alabama State Department of Education Sued over Student Records**

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

Alabama's controversial and extensive immigration law includes a provision that requires schools to obtain information on the immigration status of all newly enrolling students and their families. The provision does not require schools to report the names of students whose families do not present papers, but it does require schools to report the number of students to the State Department of Education.

That provision, along with several other portions of the law, is currently blocked by a federal court order.

However, there have been reports of harassment of Latino students and their families in schools. Records obtained by the U.S. Department of Justice indicate that Latino attendance dropped significantly after the law went into effect.

The Southern Poverty Law Center (SPLC), located in Montgomery, has filed a lawsuit against the State Department of Education after the agency refused to release information on Latino enrollment in Alabama's public schools.

SPLC argues that all children have the right to attend school without discrimination and regardless of their immigration status and that the information it is requesting, which relates to these rights, is a matter of public record.

SPLC is also urging parents to contact the Center if they have concerns that schools might attempt to obtain or use information about the real or perceived immigration status of their children or themselves unlawfully.

The lawsuit was filed earlier this month.

*Read more:*

- [http://blog.al.com/spotnews/2012/10/southern\\_poverty\\_law\\_center\\_fi\\_1.html](http://blog.al.com/spotnews/2012/10/southern_poverty_law_center_fi_1.html)
- [www.huffingtonpost.com/2012/10/11/splc-files-lawsuit-after-n\\_1958738.html](http://www.huffingtonpost.com/2012/10/11/splc-files-lawsuit-after-n_1958738.html)

## **Schools That Change Communities**

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

Filmmaker Bob Gliner has recently released a documentary film, *Schools That Change Communities*, which documents the power of getting students into their own neighborhoods in urban and rural communities.

You can see the trailer on the [Rural Trust website](#) and learn more about the film and how to order it at

## **School Discipline Policy**

### **Kentucky School Board Approves Limits on Use of Seclusion and Restraint**

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

A new policy approved by the Kentucky State School Board prohibits physical restraint of students except when a child's behavior poses imminent danger of serious physical harm. The new policy is aligned with [recommendations released this year by the federal government](#). Previously, the state did not regulate the use of seclusion and restraint in public schools.

Specifically, the policy requires school staff to receive training to help them identify situations considered serious enough for restraint and to learn positive behavior supports. In addition, a "core team" of teachers and other staff must be trained in the proper use of seclusion and restraint and must experience restraint as part of their training.

The policy requires that schools use less restrictive interventions such as verbal commands and redirection before resorting to physical restraint or seclusion. It forbids mechanical restraints such as straps, chemical restraints, any physical restraint that could be life threatening, and restraints that limit the ability of students who depend on their hands to communicate, for example students who use American Sign Language. It also prohibits the use of seclusion as punishment, to prevent property damage, as a convenience for staff, or as a substitute for less restrictive forms of timeout. School staff must visually monitor students who are placed in seclusion rooms.

Several reporting requirements are also included. Schools must notify parents within 24 hours if their child is restrained or secluded and must allow parents to request a "debriefing session" with school staff. In addition, schools must report to the state how seclusion is used.

In public comments at the Board meeting a few school district superintendents, principals and special education administrators expressed concern that staff or other students could be injured if the state limits their ability to restrain out-of-control children and that guidelines for when the procedures are appropriate are too vague.

However, Board members responded that school staff may use restraints when there is threat of harm.

Also speaking at the hearing were family members of students who had suffered injuries or psychological trauma after being restrained or secluded inappropriately.

A recent [publication](#) by the [Kentucky Department of Public Advocacy, Protection and Advocacy Division](#) (Kentucky P&A) highlights the widespread use of seclusion and restraint in the state and presents cases and photos in which children were injured. Kentucky P&A has been documenting incidents of seclusion and restraint and has been a partner and supporter in the development of the regulation.

The Kentucky policy now goes before the Legislative Research Committee, a standard procedure for all state regulations. The policy will not likely go into effect until the 2012-13 school year.

A federal survey found that 70% of students who are subjected to restraint or seclusion are disabled.

*Read more:*

News coverage:

- [www.courier-journal.com/viewart/20121008/NEWS01/310080078/State-school-board-OKs-changes-policy-restraining-students](http://www.courier-journal.com/viewart/20121008/NEWS01/310080078/State-school-board-OKs-changes-policy-restraining-students)
- [www.kentucky.com/2012/10/09/2365074/board-of-education-oks-new-student.html](http://www.kentucky.com/2012/10/09/2365074/board-of-education-oks-new-student.html)
- [www.wfpl.org/post/restraint-seclusion-policy-approved-education-board](http://www.wfpl.org/post/restraint-seclusion-policy-approved-education-board)
- [www.courier-journal.com/article/20120925/NEWS01/309240128/?qcheck=1&nlick\\_check=1](http://www.courier-journal.com/article/20120925/NEWS01/309240128/?qcheck=1&nlick_check=1)

Kentucky P&A's publication:

- <http://education.ky.gov/CommOfEd/blog/Documents/Restraint and Seclusion booklet.pdf>

## New Film on Positive Effects of PBIS

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

The filmmaker in residence at the Institute on Disability at the University of New Hampshire has created a documentary, "Who Cares About Kelsey?" to illustrate the challenges for students who have emotional and behavioral disabilities and the importance of including them in regular classrooms and learning settings.

The lead character in the film has ADHD and has suffered from homelessness and substance abuse. When a new school leadership team implements Positive Behavioral Interventions and Supports (PBIS), viewers see the transformation for this student and the benefits that accrue to other students and teachers around her.

The film is also meant to help educators see in practice the type of supports and interventions that can enable students like Kelsey to succeed. It also demonstrates the types of training teacher, staff, volunteers, and administrators need to work with students with complex emotional and behavioral challenges.

*Read more:*

- [www.iod.unh.edu/projects/pbisfilm/film\\_summary.aspx](http://www.iod.unh.edu/projects/pbisfilm/film_summary.aspx)
- [www.whocaresaboutkelsey.com/the-issues](http://www.whocaresaboutkelsey.com/the-issues)

## Meridian Mississippi Officials Sued by Department of Justice for Operating "School to Prison Pipeline"

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

The U.S. Department of Justice (DOJ) has filed suit against a number of agencies in Meridian and Lauderdale County Mississippi charging that they are operating a "school to prison pipeline." DOJ conducted an extensive investigation and gave the agencies 60 days to cooperate or face legal action.

The DOJ charges that students are handcuffed and arrested in school for minor infractions, held for as many as 48 hours without a hearing, and sent to youth court without proper legal representation. Many of these students wind up on probation and then are summarily sent to jail for other minor offenses.

Meridian Public School District is not named as a defendant, but the lawsuit says incarceration is used as a "medium for school discipline." The lawsuit states: "For example, some Behavior Intervention Plans prepared by the district for students with disabilities have listed 'Juvenile Detention Center' as a consequence for student misbehavior."

Nationally, more than 70% of students arrested in school, or otherwise referred to law enforcement, are African American or Latino.

*See previous RPM coverage [here](#).*

*Read more:*

- [www.washingtonpost.com/national/justice-department-lawsuit-charges-arrests-in-meridian-schools-violate-students-rights/2012/10/24/89460950-1dfd-11e2-8817-41b9a7aaabc7\\_story.html](http://www.washingtonpost.com/national/justice-department-lawsuit-charges-arrests-in-meridian-schools-violate-students-rights/2012/10/24/89460950-1dfd-11e2-8817-41b9a7aaabc7_story.html)
- [www.huffingtonpost.com/2012/10/25/federal-civil-rights-lawy\\_n\\_2018947.html](http://www.huffingtonpost.com/2012/10/25/federal-civil-rights-lawy_n_2018947.html)
- [www.justice.gov/opa/pr/2012/October/12-crt-1281.html](http://www.justice.gov/opa/pr/2012/October/12-crt-1281.html)

## Rural SchoolFunding News

## Plaintiffs and Allies in Colorado School Funding Case Ask High Court to Uphold Ruling

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

Plaintiffs in the *Lobato* school funding lawsuit were required to respond in court to the state's appeal of their successful case. At last month's filing deadline, *Lobato* plaintiffs had garnered a number of *amicus* ("friend of the court") briefs supporting their position.

Last December, District Court Judge Sheila Rappaport found the state in violation of its constitution because of the way Colorado funds schools, agreeing with plaintiff claims that the formula leaves many poor and rural students with missing components of their public education, including kindergarten and gifted and talented programs. The trial court said that the formulas have no rational reason for doing so. In July, the state filed an appeal of the decision. See previous RSFN coverage [here](#) and [here](#).

In the appeal, Colorado Governor John Hickenlooper and the Colorado State Board of Education repeated their allegations that the *Lobato* decision would bankrupt other agencies in the state by forcing diversion of funds to education. These allegations were widely reported in the media. In addition, state defendants argued that the ruling is "nonjusticiable," meaning it is a political question the courts should not address. Defendants also rallied *amicus* support for their arguments, including a brief from three former governors of the state.

In reply, the plaintiffs' brief argues that the trial court was correct in finding that Colorado's school funding formulas prevent many districts from teaching an up-to-date curriculum, put low-income students at a disadvantage, and fail to provide sufficient funding to make buildings safe in some districts. Their brief also addresses the allegations that *Lobato* is "bankrupting" the state and overstepping judicial authority by noting that the decision makes no specific order about spending or about how the Legislature should respond.

Along with the main brief, thirteen *amicus* briefs supporting the plaintiffs' position were filed with the Colorado high court. The briefs represent the formal views of nearly 50 individuals and organizations, including The Rural School and Community Trust.

## **Rural concerns**

Rural Trust's brief, filed with the *pro bono* assistance of Colorado law firm Kaplan Kirsch, argues that the Colorado foundation funding and categorical funds for schools do not include any factor to address specifically rural needs. It outlines five main areas where rural schools lack sufficient funding: facilities, personnel, instructional materials, technology, and transportation. The brief also notes that rural districts face unique challenges because they typically lack local resources to make up for state budget shortfalls. Because of these failures, the brief urges the state supreme court to uphold the trial court's ruling.

Specifically the rural brief argues that capital construction funding is totally dependent on local property wealth, which is insufficient in many rural districts to conduct building repairs and new construction. Throughout the *Lobato* case, plaintiffs have pointed to crumbling rural school facilities that present health threats and danger to students. The brief cites evidence from school districts with no budget to fix facilities with asbestos issues, collapsing roofs, structurally unsound foundations, broken sprinkler systems in violation of fire codes, and without heat in winter or air conditioning or other ventilation in warm months.

The rural brief also argues that personnel funding in rural districts is significantly lower than urban and suburban schools, and that with sufficient state support, rural schools would be better able to attract qualified educators with proven incentives of increased salaries, scholarships, loan forgiveness, and housing support such as mortgage loans. In addition, the brief points out the severe shortages of special education teachers in rural districts as evidence of the state's failure.

Further, the brief cites lack of general educational resources in many rural districts. These include such insufficient numbers of up-to-date textbooks that students are not allowed to take books home. They also include bandwidth inadequate to support distance education, which makes it impossible for some rural school to offer all of the classes required for college admission.

A final issue, which the brief discusses at length, is the state's insufficient transportation funding for rural districts. The state's transportation funding system does not account for the high costs of transporting children over large, sparsely populated areas in rural Colorado. The brief describes in detail the additional fuel costs and related maintenance costs of vehicles traveling many miles through districts.

Also joining Rural Trust on the brief outlining rural concerns were the Colorado Boards of Cooperative Educational Services Association and the Colorado Rural Schools Caucus.

The State will have an opportunity to respond to the September filings, after which dates for oral argument in the Colorado Supreme Court will be set.

*Read more:*

Local coverage of last month's filings:

- [www.denverpost.com/dontmiss/ci\\_21644939/schools-ask-colo-court-uphold-funding-ruling](http://www.denverpost.com/dontmiss/ci_21644939/schools-ask-colo-court-uphold-funding-ruling)

Detailed coverage of the various amicus briefs filed in the case:

- <http://www.ednewscolorado.org/2012/10/09/48950-lobato-case-makes-lots-of-friends>

Non-profit law firm representing the plaintiffs in the case, led by Rural Trust Board Member Kathy Gebhardt:

- <http://childrens-voices.org/>

## Grandparent Brings Constitutional Challenge to Idaho School Fees

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

Russ Joki, a former superintendent in Idaho and Colorado has filed a lawsuit in Ada County, claiming that fees charged to public school students violate the Idaho Constitution's guarantee of free schools. He filed the suit after his twin granddaughters were charged \$45 each to enroll in kindergarten and his grandson was charged \$85 in high school fees. The suit also references the school supply lists students receive each year as evidence that public schools are not free. Joki is seeking class-action status on behalf of all schoolchildren and parents in the state of Idaho.

The suit contends that underfunded public school districts have been turning to fees as a way of making up for shortfalls in state funding. This dynamic has been seen in a number of other states, and the practice has also been challenged in court elsewhere. *Read previous RSFN coverage of school fee challenges [here](#) and [here](#).*

### Revisiting previous funding suit

Joki's amended lawsuit also claims that the Legislature has ignored a ruling in Idaho's most recent school finance lawsuit, *Idaho Schools for Equal Educational Opportunity (ISEEO) v. State*, which ended in 2005. In that ruling, the Idaho Supreme Court held that the school funding system was unconstitutional and said a remedy must be "fashioned by the Legislature." Joki's lawsuit notes that no legislation has ever been introduced specifically to address the ruling, resulting in the use of school fees.

ISEEO, a coalition of mostly rural districts and individual plaintiffs, first filed the lawsuit over twenty years ago. *ISEEO* focused largely on the conditions of facilities in the state, some of which were condemned and many of which had broken heating systems or leaking roofs. The ruling said that the system for funding facilities in the state, which is based on bonds paid by property taxes, was unfair to low-wealth districts. It also stated that the legislature should change the system for paying for school facilities and made specific suggestions for how to do so. It did not, however, order that these changes be made.

The case was abruptly closed in 2006 and plaintiffs have been unable to force legislative compliance. Their efforts included the notable step of suing the Justices of the Idaho Supreme Court in federal court.

### New "Luna Laws" on ballot

Meanwhile, new education policies are a hot topic of debate this election season. Critics of Idaho's sweeping school reform laws, often called the "Luna Laws" after their champion State Superintendent of Education Tom Luna, raised enough support to put measures calling for repeal of the laws on the state ballot.

Those laws ended teacher tenure, rolled back most collective bargaining rights, and tied teacher pay to student test scores. The provisions also shifted portions of state funding for teachers to technology enhancements, including plans to expand online learning and provide laptop computers to high school students. Ballot Propositions 1, 2, and 3 ask voters to keep or repeal the laws.

Proposition 1, which addresses teacher tenure, if passed will also bring back the state's declining enrollment policy.

That policy phases reductions in state funding over more than one year when districts lose large numbers of students from one year to the next. It has been especially important in helping rural districts avoid sudden cutbacks, including teacher layoffs. But Luna worked to end the provision and included it with the tenure laws, claiming it was too costly. Luna critics charge that ending the provision harms struggling districts and is another means of reducing teacher rights in the state.

See previous RSFN coverage on the compromise that temporarily protected the funding [here](#).

You can read previous *RPM* coverage of school fee challenges [here](#) and [here](#).

*Read more:*

Local coverage:

- [www.spokesman.com/stories/2012/oct/01/idaho-school-fees-challenged-unconstitutional/](http://www.spokesman.com/stories/2012/oct/01/idaho-school-fees-challenged-unconstitutional/)
- [www.spokesman.com/blogs/boise/2012/oct/15/school-fee-lawsuit-expands-questions-idahos-school-funding-system](http://www.spokesman.com/blogs/boise/2012/oct/15/school-fee-lawsuit-expands-questions-idahos-school-funding-system)

Editorial supporting the suit:

- [www.idahostatesman.com/2012/10/07/2301174/a-funding-system-is-put-on-trial.html](http://www.idahostatesman.com/2012/10/07/2301174/a-funding-system-is-put-on-trial.html)

Coverage on other current education policy debates around funding:

- [www.spokesman.com/stories/2012/oct/02/fiery-debate-focuses-idaho-school-reforms/](http://www.spokesman.com/stories/2012/oct/02/fiery-debate-focuses-idaho-school-reforms/)
- <http://www.spokesman.com/elections/2012/idaho-general-election-2012/measures/statewide/idaho/76/?page=4>

Guide to Propositions 1, 2, and 3

- <http://stateimpact.npr.org/idaho/2012/10/17/props-1-2-and-3-voters-guide-to-idahos-controversial-education-laws/>

## Massive School Funding Trial Begins in Texas

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

Six lawsuits challenging the constitutionality of the Texas school finance system have been combined in a court case that began earlier this month.

The six groups include four different coalitions of school districts. Three of the lawsuits charge that the current finance formula is inadequate and/or inequitable. The fourth, brought by wealthy school districts, charges that the state funding is inadequate. Those districts benefitted when the state cut property taxes in 2006, replaced local reductions with state funding, and froze spending levels for districts.

Last year the state reduced funding to public education by \$5.4 billion. Plaintiffs allege that funding cuts were implemented as state requirements and student population were increasing. In addition, poorer districts charge the freeze, which has not been lifted, locked them into inadequate spending levels and perpetuated inequities. Funding now ranges from about \$4,000 to more than \$12,000 per student.

The state defendants claim funding is not at a crisis level and that shortcomings are the result of failures at the local district level. A representative of the Attorney General's office pointed to funding for extracurricular activities, sports, technology, and buildings as examples of unnecessary expenditures. The representative also said districts were spending inefficiently by raising salaries for teachers who stay on the job rather than tying salaries to "merit."

Of the two remaining lawsuits one represents charter schools seeking funding for facilities. The other, brought by Texans for Real Efficiency and Equity in Education, claims that public schools have a monopoly on education that leads to unconstitutional inefficiencies.

Student population in Texas has been increasing by 80,000 students each year, even as funding has been cut. Sixty percent of Texas students now receive free or reduced-price lunches at school, and one in five students are English Language Learners.

Former state demographer Steven Murdock testified that without investment in education for low-income students and students learning English, per capita income and related taxes would decline significantly. "How well minority populations do in Texas is how well Texas will do," he said.

*You can read previous RSFN coverage [here](#).*

*Read more:*

- [www.statesman.com/news/news/equity-in-texas-school-funding-returns-to-fore-in-/nScqc/](http://www.statesman.com/news/news/equity-in-texas-school-funding-returns-to-fore-in-/nScqc/)
- [www.statesman.com/news/news/texas-school-finance-trial-kicks-off/nSkRw/](http://www.statesman.com/news/news/texas-school-finance-trial-kicks-off/nSkRw/)

- <http://abcnews.go.com/US/wireStory/texas-schools-head-trial-school-finance-17531869>
- <http://abcnews.go.com/US/wireStory/school-finance-case-focus-demographics-shift-17541991>
- [www.texastribune.org/public-ed/texas-school-finance-trial/](http://www.texastribune.org/public-ed/texas-school-finance-trial/)

## Proposed Pennsylvania Legislation to Revise Charter School Funding Dies

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

Pennsylvania legislators were unable to agree on how to improve the troubled charter school system in the state before adjourning for the election. The state's charter funding system has received growing national attention, in part due to ongoing struggles and a lawsuit by the Chester-Upland District, where funding for regular schools has been drastically reduced. See previous RSFN coverage [here](#).

One bill that was introduced but not taken up would have imposed stricter fiscal requirements for charter schools. Those would have included limiting the fund balances charters are allowed to carry, requiring year-end audits, and requiring charters to return overpayments to local school districts. It would also have balanced funding between traditional public schools and charter and cyber schools for pension costs and special education. Under current law school districts in which charters operate must provide funding to charters and cyber schools for these items at rates that are much higher than in the traditional schools.

These recommendations come in the context of the growing influence in Pennsylvania of private operators of public charter schools whose high profit margins have drawn attention. Many policymakers and citizens believe for-profit operators have undue influence over state charter policy.

Another piece of legislation that would have changed Pennsylvania's 15-year old charter law was stopped at the last minute in the Pennsylvania House after it lost significant support among Republican lawmakers, responding, according to some reports, to concerns from local school boards and citizens in their districts. That bill would have limited charter fund balances. But it would also have established a new charter commission and placed many charter school finance reform questions under its purview. Many legislators suggested that provisions for the commission would make it overly partial to charter schools, a concern many political analysts cite as the likely reason the bill did not pass.

A provision to establish a new charter authorizing system that could override local district decisions had already been removed from the bill.

The bill also faced opposition from legislators who wanted stronger reforms to the funding of cyber charter schools, which in Pennsylvania receive the same state allotment as traditional brick and mortar public schools. These cyber schools are mostly privately operated and report high profit margins.

Governor Tom Corbett, who is an outspoken supporter of privatization, has made changes to charter policy a priority and has said he will fight for a new charter school bill in January.

*Read more:*

- [www.pennlive.com/midstate/index.ssf/2012/10/state\\_lawmaker\\_introduces\\_char.html](http://www.pennlive.com/midstate/index.ssf/2012/10/state_lawmaker_introduces_char.html)
- [www.post-gazette.com/stories/news/education/charter-school-bill-falls-apart-in-pa-house-658047/](http://www.post-gazette.com/stories/news/education/charter-school-bill-falls-apart-in-pa-house-658047/)

## Louisiana Judge Questions Whether Vouchers Impacting Desegregation Orders

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

Rural Tangipahoa Parish school system argues that a new Louisiana voucher law that diverts money per-pupil foundation funding from the local school district, is making it impossible for the district to comply with a long-standing desegregation order. That order requires the district to run magnet programs and build four new elementary schools. The district is projected to have an \$8 million deficit next school year.

U.S. District Judge Ivan L. R. Lemelle has ordered State Superintendent John White and the state board of education

to testify in the case and explain why funding for vouchers should not be blocked and re-diverted to Tangipahoa Parish through the state's Minimum Foundation Program.

The voucher law, championed by Governor Bobby Jindal and passed by the legislature earlier this year, allows students enrolled in schools that have earned a C, D, or F in the state's accountability system to attend private schools or take classes from private providers with state funding.

In Tangipahoa Parish, 16,600 students are eligible for the voucher program.

*Read more:*

- [www.nola.com/education/index.ssf/2012/10/voucher\\_law\\_being\\_questioned\\_i.html](http://www.nola.com/education/index.ssf/2012/10/voucher_law_being_questioned_i.html)

## **California Law Requiring Charters to Serve Free and Reduced Price Meals Vetoed**

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

Widely-supported legislation that would have required charter schools in the Golden State to provide free and reduced prices lunches to students has been vetoed by California Governor Jerry Brown. Brown stated that while he believes "pupil nutrition is profoundly important," he feels it is trumped by the need of charter schools to "be free from large portions of the voluminous state Education Code."

In California, as in many states, charter schools are exempt from many portions of state education law, including the one that says public schools "need to provide each needy pupil one nutritionally adequate free or reduced-price meal during each school day."

The legislation was supported by a diverse coalition, including food banks, teachers unions, the California School Boards Association, and the California School Employees Associations.

Although eligible, many charter schools in California do not participate in federal meal programs, citing facility limitations and other financial constraints. The Charter School Association in the state has said its opposition to the bill was largely due to financial concerns. Some charters — and some public schools — offer meals through alternative arrangements, including catering services. However, a lack of data collection by any state agency means that there is no state level information on the extent of alternative meal programs, their nutritional standards, or the availability of free and reduced price options in charter schools.

Nationally, charter schools enroll lower percentages of children living in poverty on average than traditional public schools. In California, however, charters and traditional schools enroll similar percentages of students who qualify for free or reduced school meals, 56% and 57%, respectively.

*Read more:*

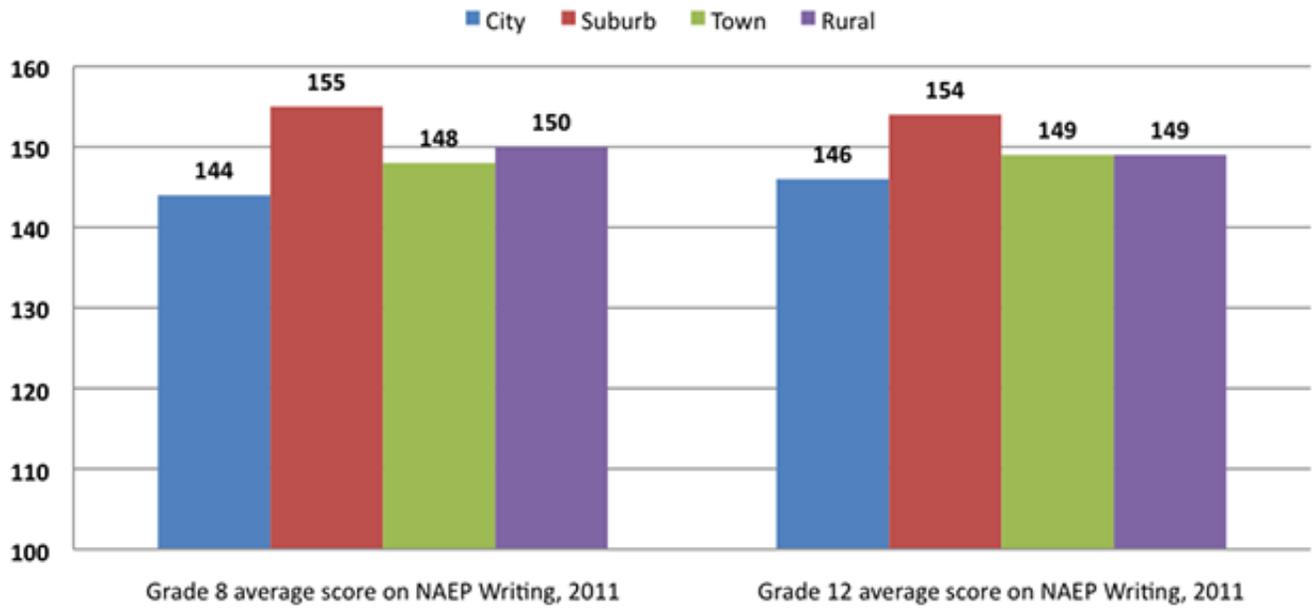
- <http://californiawatch.org/dailyreport/veto-pits-charter-school-autonomy-against-reduced-price-meals-18246>



## **2011 National Assessment of Educational Progress (NAEP): Writing, Grades 8 and 12**

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

## 2011 National Assessment of Educational Progress (NAEP): Writing, Grades 8 and 12



Source: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), [2011 Writing Assessment](#).