

# FEDERAL ActionAlert

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NSBA ADVOCACY FOR PUBLIC EDUCATION

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## No Child Left Behind: The House 'discussion draft'

**N**SBAs has two broad objectives in the reauthorization of the No Child Left Behind Act. First, we need Congress to correct the flaws in the current program without creating new ones. NSBA's bill (H.R.648) provides the kind of fixes that should be incorporated into the legislation. Second, Congress needs to complete the reauthorization before the current congressional term ends—the end of 2008—and ideally in time for schools to receive their adequate yearly progress reports for the 2007-08 school year.

NSBA believes Congress can still make

the corrections that are needed in a timely manner. However, it will likely require the House and Senate to pass their respective bills as early in 2008 as possible because presidential politics and Congress' own election concerns will increasingly limit which bills will be called up, as well as increase the potential that undesirable provisions will be added.

And if the reauthorization is held over until after the presidential election, it is not likely that legislation will be finalized until 2010. That means the current program could apply—with all its flaws—for as long as the 2010-11 school year. Meanwhile, the

bar for meeting AYP will continue to rise, and more schools and school districts will be identified as "failing," while others will move further down the progression of over-broad sanctions and face more unnecessary costs and counterproductive programming.

The Senate committee chair, Edward Kennedy (D-Mass.), has kept the development of his forthcoming bill under wraps, while the House chair, George Miller (D-Calif.), has taken a more open approach. He released a "discussion draft" on Aug. 28 and held hearings on Sept. 10. [NSBA's testimony and official comments can be found at [www.nsb.org/advocacy](http://www.nsb.org/advocacy).] ■

## NSBA's position: More work needs to be done

**T**he materials presented below describe NSBA's positions on the details of the NCLB discussion draft released by House Education and Labor Committee Chair George Miller (D-Calif.) in late August.

NSBA was pleased that many of our recommendations were incorporated into the discussion draft. However, we are concerned that, since this document will be the driving force in American education over the next six years, it does not go far enough to correct some flaws in the current law and creates too many new ones to earn our support.

We believe that these omissions and flaws can be corrected in time for the House to pass a bill to reauthorize NCLB by the end of the year.

Our broad concerns can be grouped into the following six categories.

- **Micromanagement.** The draft would micromanage schools and districts with a one-size-fits all approach for addressing school improvement that includes extensive data collection and burdensome reporting in developing schools' improve-

ment plans.

The draft does not recognize the sheer local overload in terms of staff availability, cost, and constriction that it poses—especially as school systems work with a variety of other new features that are promoted in the draft, such as new state standards and assessments (and adjusting local curriculum and instruction to them), the use of growth models, the use of multiple indicators, and new teacher assignment requirements.

- **Special populations.** The draft fails to realistically address the time that English language learners need to acquire academic proficiency and doesn't go far enough to enable districts to use alternate means of calculating AYP for students with academically related disabilities.

- **Multiple assessments.** In providing for the use of multiple assessments, the draft proposes an unacceptably complex system—which is not designed well as a local planning tool. Further, multiple assessments are not given sufficient weight to be attractive or to help broaden a wider view toward other subjects and factors that constitute a high-quality education.

- **Key technical issues.** The draft neglects technical issues that will have a profound negative outcome. For example, it does not address the unrealistic requirement that schools and districts must achieve 100 percent proficiency for all of their students within this reauthorization cycle. The proposal to legislate an "N" size of 30—along with other provisions—will result in unnecessarily overidentifying schools and districts for improvement.

- **Sanctions.** The draft perpetuates the policy of current law that goes out of its way to sanction school districts through its illogical approach to such issues as participation rates, students in multiple groups, retesting students for AYP, and the 10 percent safe harbor rule.

It also fails to address certain defects in how sanctions would be applied, such as the lack of local oversight in determining the qualification of supplemental service providers and the proposed elimination of the "other" option in restructuring schools.

- **Funding.** The draft does not address the inadequacy of federal funding in the current program or the additional costs that the draft will impose on local districts. ■

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#### About NSBA

The National School Boards Association is the nationwide advocacy organization for public school governance. NSBA's mission is to foster excellence and equity in public elementary and secondary education in the United States through local school board leadership. Founded in 1940, NSBA is a not-for-profit federation of state associations of school boards across the United States and the school boards of the District of Columbia, Hawaii, and the U.S. Virgin Islands.

#### About the National Affiliate Program

The National Affiliate Program extends NSBA's services directly to local school districts. School districts are eligible to join provided they are members in good standing of their state school boards associations.

#### About the Office of Advocacy and Issues Management

The Office of Advocacy and Issues Management implements NSBA's Action/Advocacy Agenda and carries out NSBA's lobbying efforts at the national level. By lobbying the Congress, the White House, and federal agencies, the office helps increase federal funding for local school districts and reduces costly federal mandates; helps improve federal education programs by making legislative and regulatory changes; local board members support; protects the governance role of school boards from congressional attack; and promotes the role of school boards as a key democratic institution in our country's education system.

## Main features of the discussion draft

By **Michael A. Resnick**

While some of the details will change when the chairman's bill is formally introduced, the discussion draft does provide a valuable road map for the direction that NCLB is likely to go.

NSBA is pleased that many of the concepts that were addressed in our bill, H.R.648, were included. For example, the draft would eliminate some of the rigidity in the calculation of AYP that is unfairly identifying schools as failing. It also would provide the option for states to use growth models and apply different sanctions depending on how much a school missed its AYP goals. At the same time, the draft did not go far enough to correct some flaws and added a number of cumbersome provisions and paperwork requirements that are unacceptable.

### Calculating AYP

- **Students with disabilities.** In calculating AYP for students with disabilities, the draft would allow school districts to continue counting students who were previously identified as having a disability as a member of that group for up to three years after they leave the group.

It would also legislate current U.S. Education Department (ED) policy to allow students with certain academically related disabilities to satisfy AYP requirements through the use of modified standards (for up to 1 percent of test takers) or alternate assessments (for up to 2 percent of test takers). However, the draft fails to place sufficient trust in the IEP team by continuing the use of rigid definitions to determine which students fall into these categories rather than leaving the decision to the team's evaluation of the student.

Although the draft would allow districts to appeal to have their 2 percent cap on modified assessment test takers raised to 3 percent, the process for approval is too cumbersome to be used.

- **English language learners (ELLs).** In addressing AYP for ELLs, the draft provides three beneficial changes: (1) In calculating AYP, it would allow states to count previously limited-English-proficient (LEP) students for up to three years after they become proficient and leave that group. (2) States would have

two years to develop native language assessments and could use their English language proficiency assessment to determine AYP during the interim. (3) Students could be tested in their native language for up to five years (rather than the current three) plus an additional two years on a case-by-case basis.

But there is bad news, too. The draft does not recognize that students from other countries frequently have an education foundation that is so weak that it might take several years for them to achieve proficiency in English and math. That is, the draft would continue the AYP requirement for ELLs to score at the proficient level by the end of their second year in the United States—rather than allow local school experts to individually evaluate these students and develop individual measures of progress for them for a more reasonable three-year period before requiring that they meet the proficient cut score.

- **Growth for measuring AYP.** More broadly, the draft would provide states with the option to determine AYP on the basis of whether enough students meet their individual growth targets for the year—not just whether enough of them scored at the proficient level. However, the draft would limit the use of growth so that students must reach proficiency by the third year. As a result, the draft's year-to-year growth trajectory could be unreasonably steep for meeting rigorous state standards.

As another form of growth, the draft also allows states to receive AYP credit for students' gains on an index system—on the basis of the number of students moving from the basic to the proficient level.

- **Multiple indicators.** In determining whether students make AYP in math or reading, states could also receive credit for how well they perform on a menu of up to five "other indicators" that are listed in the draft.

Unfortunately, this option requires substantial data collection and uses an overly complex scoring process. Consequently, it will not be well understood at the local level or be the incentive envisioned for school systems to place a higher priority on these "other" factors. It is also too limited in its AYP scoring value to be of much benefit. As a result, this option will not provide the

wider balance of other achievement factors that should be considered in how well a school is doing to close the achievement gap.

- **“N” size.** While the issues discussed above address the calculation of AYP, that is a different matter than whether a group of students will be large enough to be counted in the first place. The draft sets the threshold figure at 30 students, and gives states an opportunity to justify setting the threshold at 40.

For those states with a group size (“N” size) currently over 30, more groups in their schools will be counted for AYP. Consequently, this proposed change might cause a rise in the number of their schools not making AYP. The proposed change could also have an impact on states such as California, Florida, Georgia, Massachusetts, and Texas that use a floating group size that increases with enrollment to accommodate large and diverse schools.

- **100 percent proficiency.** The discussion draft does not address the bottom-line requirement in current law that all students must be scored at proficient or above by the 2013-14 school year in order for a school or district to make AYP. Since the reauthorization would run through 2013-14, this impossible-to-meet requirement will ultimately flunk any school or school district in which just one student fails to make the grade.

### Calculating AYP: What’s missing

In determining whether schools or districts make AYP, the discussion draft fails to capture several important points recommended by NSBA.

- **First assessment rule.** Contrary to current ED practice, once the official state assessment is given, students who do not score proficient or above and then successfully retake the state test should have their success counted for AYP.

These successful students could make the difference between whether their subgroup makes AYP or doesn’t—and whether their school faces sanctions. The point is, why label a school as not making AYP even though the particular subgroup at fault is in reality entering the next school year performing at the level required by AYP?

Further, why not give the school and student a greater incentive to engage in after-school programs in the spring or early summer by counting their success?

- **Multiple counting of students.**

Under current ED policy, students who belong to several groups must be counted as one student for each of those groups. Not only does this approach statistically overrepresent these students, it overrepresents school failure, since the most academically challenged students are more likely to belong to more subgroups than other students.

To prevent this statistical bias to promote school failure, the scores of students in multiple groups should be counted as one student by fractionally weighting them on the basis of the number of groups to which they belong.

- **Participation rate.** To determine the quality of a school’s education program, it is essential for there to be a minimum percentage of students taking the test. One reason is to guard against an overrepresentation of lower-achieving students who are absent on test day. In other words, minimum test participation serves as a tool for keeping the system honest in measuring the quality of a school.

However, test participation is not in itself a measure of a school’s quality. Yet, NCLB treats it that way because if a group has more than enough students

scoring proficient or above, it can still fail to make AYP just because one or two students too many failed to take the test during the official test period. But what if those students did show up on test day and failed to score proficient? The group would have made AYP and the school would not have been labeled as failing and possibly be subject to costly sanctions. Schools should have the option to count non-participant students as having taken the test but scored as not meeting proficiency in calculating AYP.

- **Safe harbor.** The safe harbor requirement should be reduced. Currently if a school or group doesn’t make AYP using the basic calculation, they still can make the grade if at least 10 percent fewer students fail to make AYP than did the previous year’s group. The problem is that very few schools or groups that fail to make AYP under the basic calculation have made it under this option. The safe harbor threshold should be set at 5 percent.

- **English language learners.** Under the draft bill, students from other countries will have their test scores counted for AYP at the end of their second year in the United States. As previously indi-

## YOUR ACTION

There are several key action steps that you can take to ensure that the reauthorization of NCLB is done in a timely and correct manner.

- **Pass a school board resolution in support of H.R. 648.** About 550 local school boards have sent resolutions to their members of Congress in support of the NSBA bill. This activity is valuable because it demonstrates the unity of your school board—and school boards across the nation—behind the urgent need for specific fixes to the law.

- **Develop a current-year local AYP/sanctions impact statement.** Provide your members of Congress with a statement showing why your schools missed AYP last year—including how the flaws in the AYP system made the difference. Show where the mandated sanctions that your schools might be under are unnecessary, flawed, or overreach the need—along with the resulting educational, financial, and personnel cost to your schools.

- **Develop a 2010-11 local**

**AYP/sanctions impact statement.** Following your current local impact statement, project what will occur in 2010-11 in terms of making AYP (as the percent of students who must score at the proficient level rises) and where your schools will be in the sanctions process if Congress does not fix the law before then.

- **Take your case to the media.** Using your board resolution and the material from your local impact statements, along with your broader educational concerns about NCLB’s impact on student learning, develop an op-ed for your local newspaper and seek time on a radio station. This will reinforce the message to members of Congress that they have a responsibility to their community to fix this legislation—and to fix it now.

See [www.nsba.org/advoacy](http://www.nsba.org/advoacy) for a sample school board resolution, list of school boards that have passed resolutions, and other tools and background materials to assist you in your efforts to fix this law.

cated, these students might have been significantly under-educated for years in their country of origin. Some might not be sufficiently literate in their native language so that giving them a native language assessment or other accommodations (such as extra time or a proctor to read the questions to them) will not make a difference.

The basic question is, can these students categorically be expected to meet the proficient level on high-stakes assessments within two years? The research and experience of local educators say No. In scoring for AYP, schools should be able to evaluate students on a case-by-case basis and set individually determined goals for them for up to three years.

- **Students with disabilities.**

Currently, a student must fit into the rigid categorical definition of having a “serious cognitive disability” or a “persistent academic disability” to qualify to be among the 3 percent of students who can have their scores for AYP determined through the use of modified standards or alternate assessments.

Instead, the Individuals with Disabilities Education Act, the basic law for determining the appropriate programming for these students, should apply by enabling the individualized education program (IEP) team to make individual determinations based on their on-the-ground evaluation of each student—subject to the overall cap of 3 percent of students counting toward AYP.

## Sanctions

Under current law, if a school or district fails to make AYP for two or more years in math or reading, it becomes subject to intervention. For each year that it does not meet its AYP goals, more aggressive interventions are added.

This occurs regardless of the portion of enrollment that missed AYP, the number of points by which the target is missed, the level of growth that students have achieved, or certain extenuating circumstances—such as a large number of students from another country unexpectedly enrolling in the school.

The discussion draft seeks to address some of these issues by refining the ways in which sanctions are applied.

- **Same group/same subject.**

Sanctions would only apply if the same group failed to make AYP in the same subject for two consecutive years. This would end the unsound practice current-

ly in place that invokes sanctions even if a different group fails to make AYP in one year than in the next. In addition to unnecessarily labeling schools that only temporarily fail to make AYP for a specific group, this “revolving door” approach forces schools to refocus their improvement plans and interventions each year. Accordingly, this recommended change is a significant improvement.

- **Sanctions for high-priority schools.** The draft would replace the “one size fits all” imposition of sanctions by creating one menu of interventions for schools that miss AYP by a significant amount and another for those that more marginally miss the grade.

Generally, if 50 percent or more of the students in a school miss AYP, or if 50 percent of students from two or more groups miss AYP, the school will be designated as a “high-priority” school after not making AYP for two consecutive years.

As such, it must immediately develop an improvement plan, and after another year of not making AYP, it must offer its students the opportunity to transfer to another school or receive supplemental services. If the school still doesn’t make AYP after another year, it would be designated as a “high-priority design school” and would progress to more aggressive interventions, such as total restructuring.

However, the draft recognizes the need to set priorities in the number of high-priority design schools that a school district will be able to address. That is, not more than the lesser of 50 schools or 10 percent of a district’s schools need to be identified as “high priority design schools.”

- **Interventions for priority schools.** Schools not making AYP for two consecutive years by lesser amounts would be designated as “priority schools.” They, like high-priority schools, would be required to engage in vigorous data collection and develop improvement plans with much more detail than required under current law.

While these requirements might sound good in theory, the capacity of schools to comply with the magnitude of requirements in the draft is unrealistic whether applied to a small district with limited administrative staff or a larger district with thousands of students. In implementing the plans, the good news is that priority schools would not need to offer choice or supplemental services nor would they be subject to restructuring.

- **The omissions.** While the discussion draft improves the way in which sanctions would be applied, there are several serious omissions. For example, choice and supplemental services should be specifically targeted to those students who did not score proficient from the groups that did not make AYP—as opposed to current requirements that make all students eligible.

School districts that are in improvement status should be specifically authorized to provide supplemental education services (SES). Additionally, private SES providers should be held accountable for having highly qualified teachers, and local school districts should be allowed to challenge the performance of any provider to serve students.

## A special focus on high schools

To address the concern that too many students either drop out of high school or graduate without being proficient in English and math, the discussion draft proposes to increase both accountability and program support at the secondary level.

On the accountability side, the current AYP requirement that a high school must meet the state’s requirement regarding the overall percentage of students who must graduate will become tougher in several ways.

First, the state’s graduation rate requirement must be met for each group of students—not just students overall. Second, states must require high schools to increase their graduation rate by at least 2.5 percent annually for each group until they achieve 90 percent—with the goal of eliminating the graduation rate “gap” among groups by the 2019-20 school year.

On the incentive side, the draft would create a new program, the Graduation Promise Fund, to provide financial assistance through states to primarily help “high-priority” high schools increase their graduation rates.

In addition to this new program, the draft would also allow states to give schools credit in calculating AYP for math and reading if they meet the state’s annual goal for raising high school graduation rates or reducing dropout rates. Specifically, these rates can be used as one of the indicators that a state could allow in using multiple indicators in calculating AYP for math and reading. If a school meets the growth target, it could

constitute up to 15 percent of a group's AYP score for math and reading.

### Other new accountability features

The draft would provide state departments of education with financial assistance to develop college and work readiness standards along with assessments that are aligned to them. The objective is to increase the rigor of state standards, as well as to ensure that assessments are designed to assess a student's higher-order thinking skills—including those skills and uses of information that would be appropriate for 21st century life.

States would also be required to implement extensive longitudinal data systems within four years. This could be a burden on local school districts to the extent they would have to put new data systems in place and then provide the staffing to maintain them.

On the positive side, this requirement would provide valuable information about individual students, groups, and schools that can promote more strategic analysis and attention to individual needs and performance of students and their teachers.

Further, the draft would create a pilot program to allow up to 15 states to use local assessments—along with state assessments—in determining AYP.

### Teacher effectiveness

- **Highly qualified teachers.** The dis-

ussion draft seeks to promote teacher effectiveness in several ways. First, it continues the overall policy to require teachers of core subjects to be “highly qualified teachers” (HQT), which means teachers who, by virtue of their college major or performance on a test, have demonstrated they possess the requisite knowledge for the subjects they teach.

The draft would legislate current ED practice to give more time for rural teachers of multiple subjects to acquire HQT status. Unfortunately, it would not relax the rules for special education teachers who might have to be highly qualified in multiple subjects (along with their credential in special education). Nor does it treat social studies as a core subject for HQT—as distinguished from requiring social studies teachers to obtain separate HQT status for core subject components, such as geography, civics, and economics.

Further, the draft would eliminate the so-called “HOUSSE option” that has allowed veteran teachers to achieve HQT status through additional factors, such as their experience and observable ability to teach a subject in which they did not major or pass a test.

- **Equalized salaries in teacher assignments.** The draft also adds a new provision that would require the average salary of teachers in Title I schools to be the same as teachers in the district's non-Title I schools. This provision recog-

nizes that new teachers are frequently overrepresented in schools that are located in lower-income communities. (That is generally because more experienced teachers—who are likely to be more effective regardless of possessing the same “paper” credentials as their younger counterparts—are likely to exercise seniority rights in their contracts to be assigned to less-challenging schools.)

However, the draft also states that this provision can not supersede collective bargaining agreements, thereby preventing the forced reassignment of experienced teachers to more challenging schools in collective bargaining states. Consequently, the equalization provision may have very little impact but would result in substantial data collection.

So, how will school districts comply with this provision? Beyond reporting, there are no specific enforcement provisions. However, Title II of the draft does enable school districts to receive funds under several modest financial incentive and reward programs to compensate effective teachers in schools serving low-income areas.

- **Novice/out-of-field teachers.**

Further, the draft would prohibit students from being served by out-of-field teachers or novice teachers for two consecutive years. However, like the basic HQT and equalized salary provisions, the draft does not provide local penalties for non-compliance. ■

## Hearing held on discussion draft

The wide range of witnesses testifying before the House Education and Labor Committee tended to focus on the failure of the discussion draft to adequately address their concerns.

Given that the witnesses represented various interests within school districts, single-issue advocacy groups, and think tanks, among others, it was not surprising that there was conflict over the manner in which schools should be held accountable for student performance generally and for specific groups of students. During the hearing sparks flew between the committee chair, Rep. George Miller, and the National Education Association over a provision that would provide grants to school districts to fund salary incentives to attract

and reward effective teachers in schools with large numbers of students from low-income families.

Contrary to Miller's understanding, the union argued that it did not previously sign off on the use of performance-pay criteria that would be a condition for school district use of these grants. How this issue is handled could be important in securing the support of some Democrats for the bill.

Meanwhile, House Republican leader John Boehner (R-Ohio)—who chaired the committee when NCLB was originally enacted—sent a letter to Miller outlining his concerns with the discussion draft. He expressed strong disappointment with the provisions that would limit the requirements in the current law mandating supplemental educational

services (after-school tutoring by private companies) for schools that fail to meet their AYP goals. He also objected to the new data collection requirements and the number of new grant programs that the draft would add.

Taking into account all of this input, it is still possible that Miller will be able to formally introduce a revised bill for committee action early next year. ■



# Funding for NCLB threatened by veto

As the education committees begin their initial steps to reauthorize NCLB, the annual appropriations process to fund the program is progressing to its final stages. A conference committee has resolved the differences between the House and Senate versions of a large domestic funding bill of which education, including NCLB, is a part.

About three-fourths of the Labor/Health and Human Services/Education funding bill involves mandatory spending for entitlement programs like Social Security, Medicaid, and student assistance for higher education. However, the political battles have been generally over the discretionary programs, such as the grant programs that fund K-12 education.

In reacting to the Senate bill, which, overall, is 4.9 percent over last year's level in discretionary spending, the White House issued a statement on Oct. 17 declaring President Bush's intent to veto the measure due to its "irresponsible" and "excessive level of spending."

The Senate passed its bill by a margin comfortably large enough to override a veto. However, the House bill, which provides even more funding, passed with several votes short of the two-thirds majority needed for an override. The conference report roughly split the overall difference between the two bills.

## Inside the education budget

Although the White House statement supported the Senate's proposed 8.3 percent increase for Title I (which is the major funding source for NCLB), it objected to the Senate's overall funding plan for the Department of Education (ED)—which is 7 percent over the president's budget request, although only 4.5 percent over last year's level.

That is, the president's budget basically called for a bottom-line cut of \$1.2 billion in discretionary spending for ED with a significant rearrangement of funding priorities to support the increases for Title I, a \$300 million voucher program, and several smaller White House priorities.

Specifically, the president's budget sought to eliminate 44 K-12 and higher education programs (including \$273 million in state technology grants) for a total funding cut of \$2.2 billion. The president also proposed to sharply cut other programs (including nearly \$600 million in vocational grants, \$246 million in Safe

and Drug-Free Schools funds, and \$291 million for special education).

Generally speaking, the Senate bill supported the president's funding level for Title I, but rejected his proposal to eliminate or cut other programs as a means to fund it. The Senate also rejected funding for vouchers and the level of increases President Bush proposed for several other programs. The House also rejected the president's cuts and topped the Senate measure by \$1.6 billion for ED—including greater increases for Title I and IDEA.

The final bill approved by the conferees went along with the House by boosting Title I by 11.5 percent (or \$1.5 billion) for a total appropriation of \$14.3 billion. It followed the presidents' request to provide \$500 million (or a \$325 million increase) for school improvement grants for state intervention programs in schools and districts that fail to make adequate yearly progress for a series of years. These school improvement funds would add to a 4 percent set-aside for that purpose that comes off the top of basic Title I grants to school districts.

Rather than being cut, funding for the Individuals with Disabilities Education Act was raised by 5 percent (or \$500 million).

## Title I funding increase is critical

For school districts, obtaining maximum funding for Title I and other programs—and overriding an expected presidential veto—is important for the following reasons:

- The annual cost of implementing NCLB will continue to rise as the AYP bar rises. This is because more aggressive and comprehensive interventions will be needed to either bring more of the most academically challenged students to proficiency or to fund the progression of sanctions if they continue to miss their AYP targets.

- Over the past three years, Title I funding increases averaged about 1 and one-third percent per year. Meanwhile, the local costs of implementing the program have risen faster.

- Due to population shifts and the nuances of the funding formula, some districts lost Title I dollars without a commensurate reduction in their service costs.

- During this three-year near-freeze on Title I funding, the state set-aside for

school improvement grants was increased from 2 percent to 4 percent. These additional funds came off the top of local Title I grants from the increase that any district would have otherwise received in Title I funding (as a result of enrollment increases, for example).

- Even among school districts that ultimately gained in funding, the amount has probably not been enough to offset rising costs—including enrollment increases.

- If NCLB is reauthorized this year, more funds might be needed to meet new program requirements that could become effective for the 2008-09 school year—the year that this funding bill will take effect.

- The administration's proposed \$600 million cut in Medicaid reimbursements to school districts (to become effective in the next school year), along with its proposed \$291 million cut for local IDEA funds, means school districts would have to use more local funds to offset the federal shortfall for their health and mandated special education costs. And these costs rise faster than the general rate of inflation.

- The president's proposed cuts in other programs will also mean that school districts will have to curtail those services, reduce funding for other programs, or shift the cost to the local taxpayer.

- The decline in the housing market will mean that assessed values will not rise—and might even fall—in many localities. In other words, school districts will either have to raise local property tax rates as a result of the shortfall in federal funding or cut general education programs to meet the federal requirements of NCLB and to offset the president's proposed cuts to IDEA and other programs.

For K-12, it is hard to see how the House or Senate bills are "irresponsible" or "excessive." With respect to the overall bill, which comprises the major federal funding vehicle for domestic programs, the amount that the president is objecting to is about one-third of 1 percent of the federal government's \$2.9 trillion budget—and that is only about 1 percent of federal discretionary spending.

Federal Relations Network members and National Affiliate school districts can find additional information on developments regarding the final funding bill that emerges from Congress and the president's action at [www.NSBA.org/advocacy](http://www.NSBA.org/advocacy). ■

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