



To: State Board of Education  
Re: Legislative Update  
Date: February 24, 2012

## **State Activity**

There is no state activity to report for this week.

## **Federal Activity**

### **House Education Committee Expected to Mark Up ESEA Reauthorization Bills**

The House Education and the Workforce Committee is expected to hold a mark-up on Tuesday, February 28, on two ESEA-related bills: HR 3989 (Student Success Act) and HR 3990 (Encouraging Innovation and Effective Teachers Act). Four-page summaries of both the *Student Success Act* and the *Encouraging Innovation and Effective Teachers Act* may be accessed by [here](#) and [here](#). Below are some highlights of the two bills:

#### **Encouraging Innovation and Effective Teachers Act**

- *Highly Qualified Teachers*: Repeals HQT and changes the Title II formula to support development and implementation of teacher evaluation systems. Bill specifies what must be in such evaluation systems
- *Use of Funds*—flexibility in use of Title II funds but caps to 10% the funds that can be for class size reduction
- Creates new local academic flexibility grant to fund initiatives based on state and local needs—anything authorized under state law (10% of the funds reserved for private sector initiatives--i.e. for scholarships and tutoring programs)
- Eliminates 70 existing programs and all earmarks

#### **Student Success Act**

- Generally reduces the federal role in education.
- *Standards*: Requires academic standards similar to current law but removes achievement levels (basic, proficient and advanced) and allows states to determine levels. It also allows states to establish alternate achievement standards for SWD.
- *Assessments*: Requires assessments similar to current law but eliminates the science assessment mandate. States can adopt alternate assessments for SWD for the most cognitively disabled students. Still requires a 95% participation rate for each subgroup.
- *Accountability*: Eliminates AYP and replaces it with a state-determined accountability system. Must have key criteria (measure the achievement but can use growth; evaluate and identify

performance by subgroup; school improvement that has interventions in poor performing Title I schools)

- *School Improvement*—Eliminates the mandates of section 1116 and 1117 and allows states to develop appropriate school improvement strategies. Increase set side aside for SI to 10% but eliminates local set asides so more funding flows directly to LEAs. Eliminates the SI grant program and the 4 turnaround models
- *Parent information*—Requires annual report cards and disaggregation, grad rates, NAEP, etc.
- *Funding Flexibility*—LEAs can use funds across certain programs. Can move funds into Title I
- *School-wide*—Eliminates the 40% poverty threshold for school-wide program—allowing all Title I schools to operate whole school reform efforts with Title I funds
- *Appropriations*—Limits funding to the FY12 levels and will increase certain programs with rate of inflation and consolidates authorization levels into one section
- Removes Maintenance of Effort (MOE) requirements, allowing states and locals to set their own funding levels