Tri-State Regional Special Education Law Conference

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What's Happening in Washington? (1)

- ESEA reauthorization
- Assessment competition
- FY 11 appropriations
- Jobs bill (Stimulus #2)
- Seclusion and restraint legislation
- IDEA implementation/reauthorization
- Rosa's Law

What's Happening in Washington? (2)

- Discretionary grant priorities
- American Recovery and Reinvestment Act of 2009 (ARRA)
- Common core standards initiative
- Medicaid
- Twenty-First Century Communications & Video Accessibility Act of 2010
- Early childhood
- Impact of elections on key commitees

What's the Status of ESEA Reauthorization?

Things to think about

- The Administration's Blueprint…
  - (www.ed.gov/eseablueprint)
- Better alignment of ESEA and IDEA
  - Data alignment
  - Issue alignment
    - RTI, UDL, PBIS,
    - Definition of graduation rates

More Reauthorization Issues

- What to do about assessments, especially for students with disabilities
  - 1%/2% issues/computer adaptive tests/UDL designed assessments
- Lots of talk about the use of multiple measures – what does this mean?
- Highly effective teachers
  - General ed/special ed/related services personnel

Biggest Reauthorization Issue?

- How to transition from NCLB to a new ESEA (career and college ready by 2020)
  - From focus on all schools that fail to make AYP to only the lowest performing schools
- Let's talk about merging ESEA and IDEA

What's the Timing?

Assessment Competitions

- Regular assessments
  - Partnership for Assessment of Readiness for College and Careers is a coalition of 26 states
  - The SMARTER Balanced Assessment Consortium is a coalition of 31 states

- Alternate assessments
  - National Center and State Collaborative Partnership (a consortium of 18 states, DC , and several territories led by the University of Minnesota). Awarded $45 million.
  - The Dynamic Learning Maps Alternate Assessment System Consortium (a consortium of 11 states led by the University of Kansas). Awarded $22 million.

FY 11 Appropriations

- Not going too well or too fast
- Regular budget process is not being followed
- President's budget wants to consolidate programs and change some ed programs from automatic grants into competitive grants

Update on FY 11 Appropriations

- Continuing Resolution (CR) extends FY 10 funding levels through 12/3
- Labor/HHS/Education bill voted out of Appropriations subcommittees in both House and Senate
- IDEA Part B received slight increases in both House and Senate (House $11.9B; Senate $11.86B) – currently at $11.5 B
- Obama calling for 5% across-the-board cuts for 2012 discretionary budget

Sneaky Appropriations Issue?

- In the Senate Military Appropriations bill, there is a special ed voucher amendment but not in the House version

Jobs Bill – Stimulus #2

- We started with a $23 billion jobs bill that would go towards funding k-12 teachers jobs – could not get it through the Senate
- Congress passed legislation with $10B for education jobs and $16B for Medicaid FMAP signed into law
- States applied for funding but had to meet MOE requirements under ESEA and higher ed
- For information go to: http://www2.ed.gov/programs/educationjobsfund/applicant.html

Status of Seclusion/Restraint Bills

- House bill (H.R. 4247) passed the House on March 3, 2010
- Sen. Dodd has reintroduced his bill as S. 3895 with a Republican cosponsor (Burr)
- Biggest issue is whether to allow seclusion/restraint to be written into IEPs
- OCR included reporting on seclusion/restraint in OCR reporting

IDEA Implementation/ Reauthorization

- Maintenance of effort issues
  - at the LEA level
  - at the SEA level
  - Extension of SPP/APR for two years
- Data concerns
  - SPP/APR – huge concerns remain
  - CEIS data collection
  - Part C transition Q&A

IDEA Implementation (cont.)

- Full Funding bills introduced in every Congress– not moving
  - H.R. 3578
  - S.1652
  - These bills will be part mandatory/part discretionary funding measures
- Expert Witness bill – not moving

Where in the World Are the Part C Regs?

IDEA Reauthorization

- It will happen after ESEA reauthorization. No one in DC is ready to talk about it yet.

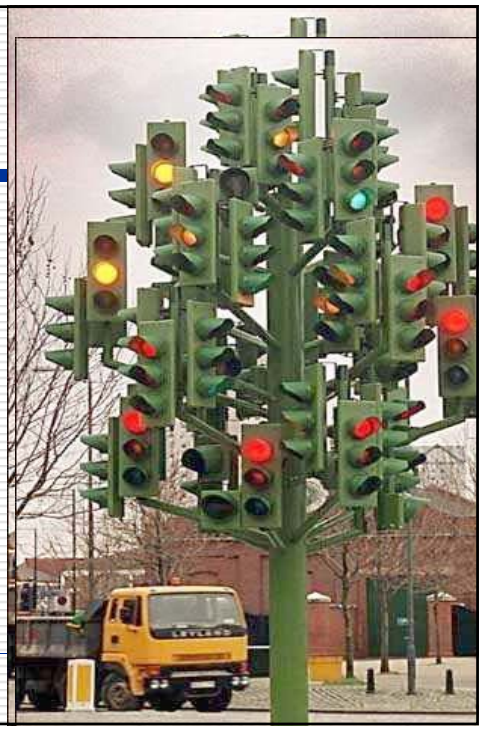
Rosa's Law

- Changes references in IDEA and other federal laws from 'mental retardation' to 'intellectual disabilities' (affects IDEA, ESEA, HEA and Voc Rehab)
- Signed into law on 10/5, P.L. 111-256

Discretionary Grant Priorities

- Department recently released for public comment proposed priorities for discretionary grant priorities
- NASDSE concerns

The ARRA, (aka, the Stimulus bill) covers a lot of education programs



Four Key Principles for the Ed Funds

1. Adopting internationally benchmarked standards and assessments that prepare students for success in college and the workplace
2. Recruiting, developing, and retaining effective teachers and principals

Four Key Principles, con't

3. Building data systems that measure student success and inform teachers and principals how they can improve their practices
4. Turning around our lowest-performing schools

American Recovery and Reinvestment Act (ARRA)

Program	Allocation
Title I	$10 B
IDEA Part B	$11.3 B
IDEA Section 619 preschool grants	$400 M
IDEA Part C infant/toddler program grants	$500 M
State Fiscal Stabilization Fund includes:	•$46 B goes to governors
	•$39.9 B for public pre-k-12 and higher ed.
	•$8.8 B to be allocated at the discretion of the governor

American Recovery and Reinvestment Act (ARRA)

Program	Allocation
• State Incentive grants (Race to the Top) -- $350 M for assessments	$4.35 B
• Local Innovation grants	$650 B
Statewide data system funding	$250 M
Title I School Improvement grants	$3 B
Teacher Incentive Fund	$200 M
Teacher Quality Enhancement	$100 M
Education Technology State grants	$650 M

What's Important to Know About the Race to the Top

- It's changing policy without changing the No Child Left Behind Act
  - State laws on charter schools
  - State laws on teacher effectiveness
  - Turning around low-performing schools

Race to the Top Finalists

- The winners in Round 2 are: DC, FL, GA, HI, MD, MA, NY, NC, OH and RI to get $3.3 B
- Watch for role of special education??
- Will there be a Round 3?

Common Core Standards

- State initiated from CCSSO and NGA
- Concept initially embraced by 48 states (all except Texas and Alaska – now VA governor says will not adopt)
- Covers math and reading/language arts k-12
- Impact on federal & state policy is huge
- www.corestandards.org

Common Core Standards

- Have already been embraced by 37 states and DC

Medicaid– Two Issues

- Parental consent
- Federal Medical Assistance Percentage (FMAP) extension

21st Century Communications & Video Accessibility Act of 2010

- S. 3304/S.3828 – signed into law on October 8th

Early Childhood Issues

- Early Learning Challenge Fund – pulled from Reconciliation bill because of Health Care Reform. Now in the Senate FY 11 Appropriations bill
- A number of I3 grants will serve young children
- Reorganization of child care programs at HHS but concerns about future of 21st CCLC remain

And a few other things…

- H.R. 5628, Ending Corporal Punishment in Schools Act
- Department recently held National Summit on Bullying (new website: www.bullyinginfo.org) – new $2 m grant program
- Department announced new online data portal (www.eddataexpress.ed.gov) and new education portal
- CCSSO released model core teaching standards (www.ccsso.org)

And a few other things…

- Department moving ahead with technology plan: 2010 National Education Technology Plan 1.0
- America COMPETES Act – passed House; voted out of Senate committee
- From the Office of Safe and Drug-Free Schools – state anti-bullying grants

Impact of the Election??

- On the committee structure in both House and Senate
- On ESEA reauthorization

Good Websites to Visit

- Alliance for Excellent Education: www.all4ed.org
- Center on Education Policy: www.cep-dc.org
- Common core standards: www.corestandards.org
- Center for American Progress: www.americanprogress.org

NASDSE Websites

- www.nasdse.org
- www.projectforum.org
- www.ideapartnership.org
- www.sharedwork.org
- www.personnelcenter.org
- www.uscharterschools.org/specialedprimers

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