

Exploring K-12 Education in Arizona

The education of all of today's youth is vital to the health and well-being of our nation, state, communities and to each one of us as an individual.

This document seeks to identify, describe, and explore various educational terms, programs, delivery systems, policies, and stakeholders so that, as a concerned public, we have some common baseline understanding from which to discuss the education of all of Arizona's youth. The intention is to facilitate needed discussion of and understanding of the critical nature of funding and the complexity of early education and K-12 schooling issues in today's society.

Programs and policies are designed to address needs and to identify intended outcomes. However, all policies and programs also result in unintended consequences -- both positive and negative. The trick is to not only maximize the intended outcomes and to minimize negative consequences, but when necessary to rethink and revise policies which have a detrimental effect on the state and its people. Public policies do shape the footprints we leave as a society.

While there are many approaches which might have been pursued for this project, we have tried to make an objective and comprehensive study of the issues impacting educational outcomes for youth today. The format utilized is a five part approach addressing (1) the terminology being used, (2) a basic description/definition in order that we all have a common understanding, (3) a listing of the stated rationale and intended outcomes, (4) identification of the ultimate regulatory body, and (5) an exploration of unintended or negative consequences. The unintended consequences have been drawn from a wide analysis of research reports and data. In the case of new policies an effort has been made to identify possible negative outcomes which might be avoided through better planning and implementation.

Our intention in this document is not to say one approach is right and another wrong but rather to provide factual information and policy consequences, thereby stimulating community discussion of various issues and approaches regarding the education of all of our young people. It will be up to you, the individual, as you study and discuss funding and the programmatic approaches, to determine whether a current policy as implemented is good or bad for our state's citizenry and the education of all of our youth.

While, obviously, oversight is/or should be involved at the local or district level, in this analysis, the regulatory agency held responsible for the policy or program is listed.

..... Joye and John Kohl
Education Co-Chairs
Revised February 2015



The League of Women Voters of NW Maricopa County

TABLE OF CONTENTS

A. FUNDING	3
STATE FUNDING, EQUALIZATION AND BUDGET CATEGORIES.....	3
SCHOOL TAX CREDITS.....	5
EMPOWERMENT SCHOLARSHIPS.....	7
SCHOOL TUITION ORGANIZATIONS.....	9
ROLE OF FEDERAL GOVERNMENT.....	10
ROLE OF BUSINESS AND FOUNDATIONS.....	11
B. EDUCATION DELIVERY MODELS	11
CHARTER SCHOOLS.....	11
DISTRICT SCHOOLS.....	12
MAGNET SCHOOLS.....	12
DISTANCE LEARNING.....	13
ONLINE LEARNING.....	13
VIRTUAL CHARTER SCHOOLS (CYBER CHARTERS).....	13
HOME SCHOOLING.....	14
JOINT TECHNICAL EDUCATION DISTRICTS (JTED).....	14
PRIVATE SCHOOLS.....	15
C. STANDARDS AND CURRICULAR EMPHASIS	15
ARIZONA COLLEGE AND CAREER READY STANDARDS (ACCR).....	15
COMMON CORE STANDARDS.....	16
COMPREHENSIVE EDUCATION.....	16
STEM (SCIENCE, TECHNOLOGY, ENGINEERING AND MATH).....	16
STEAM (SCIENCE TECHNOLOGY, ENGINEERING, ARTS AND MATH).....	17
D. TEACHERS AND INSTRUCTION, MANAGEMENT, ADMINISTRATION & NON-CLASSROOM	17
CHARTER SCHOOL TEACHING STAFF.....	17
DISTRICT SCHOOL PERSONNEL.....	17
TEACHER BENEFITS.....	18
TEACHER CERTIFICATION.....	18
NATIONAL TEACHER BOARD CERTIFICATION.....	18
TEACH FOR AMERICA.....	19
TEACHER PROGRAM ACCREDITATION.....	19
UNIVERSITY/COLLEGE TEACHER PREPARATION PROGRAMS.....	20
TEACHER PROFESSIONAL ORGANIZATION/UNIONS.....	20
TEACHER TENURE.....	20
EDUCATION MANAGEMENT ORGANIZATION.....	20
OTHER OUTSOURCED SERVICES.....	21
E. EVALUATION/TESTING/ASSESSMENT/PERFORMANCE	21
HIGH STAKES TESTING.....	21
NATIONAL ASSESSMENT OF EDUCATIONAL PROGRAMS (NATION'S REPORT CARD).....	22
PROGRAMS FOR INTERNATIONAL STUDENT ASSESSMENT (PISA).....	22
F. SPECIALIZED LEGISLATION AND POLICIES	23
FIRST THINGS FIRST.....	23
MOVE ON WHEN READING.....	23
ENGLISH AS SECOND LANGUAGE AND BILINGUAL EDUCATION.....	23
TITLE I OF ELEMENTARY AND SECONDARY ACT - 1965, PL 94-142___IDEA (INDIVIDUALS WITH DISABILITIES EDUCATION ACT 1990).....	24
TITLE 9, EDUCATIONAL AMENDMENTS - 1972 (PL 92-318).....	25
FEDERAL IMPACT AID.....	25
ACKNOWLEDGEMENTS	26

A. FUNDING

State Funding, Equalization and Budget Categories

DEFINITION/DESCRIPTION

According to the Arizona Constitution's "general and uniform" clause, the legislature is required to equalize funding for public schools in the state. The equalization formula (or base) represents the sum of the funding guaranteed to a school district based on the number of students attending the district's schools and consists of school district budget limits and a budgetary property tax. The state provides equal dollars per student with some adjustments for special education needs. For more in-depth understanding of public school funding, see the accompanying "Guide to Understanding Public School Funding".

According to a document from the AZ Dept. of Education and the Office of the Auditor General, the following are the budget categories for public school reporting:

Classroom Instruction: includes the activities dealing directly with the interaction between teachers and students. Included are the activities of aides or instructional assistants that assist in the instructional process.

Support Services: includes guidance, health, attendance and social work, psychological, speech pathology and audiology, occupational/physical therapy related services which contribute to a student's ability to succeed in the classroom.

Administration: includes district administration, school administration, fiscal services, human resources, planning, research, development, and evaluation, public information and any support services not coded in other categories. The activities of administration contribute to the overall climate and direction of the school while also providing the support for teachers to do their job in the classroom.

Other: includes library/media, instruction-related technology, instructional staff training, instruction and curriculum development, operation and maintenance of plant including security and safety, student transportation, food service operations -- all of which facilitate student safety and learning.

Funding source revenue averages were reported in the State Superintendent's 2014 annual report: As a state average, AZ district schools receive 52.6 percent of their funding from the state, 18.8 percent from federal sources, 2.1 percent from county and 26.4 percent from local sources. In districts with more students from low income families, additional federal revenue is appropriated for the Title I school lunch program. Federal monies for mandated special education services and the impact of federal facilities (ex. a military base located nearby with the need for educating military family children) may result in some additional monies.

For district schools where the state base funding is deemed too low to meet budget needs, local property owners may choose to levy a property tax assessment for such programs as full-day kindergarten (vs the half day funded by the state), to reduce class size, or to support non-state funded services for music, etc. The process occurs with passage of an override election to increase district funding above the state base funding. Bond elections must also be authorized by local voters.

As a state average, AZ charter schools receive 84.4 percent of their funding from the state, 7.6 percent from federal sources, 7.9 percent from local gifts and contributions, and less than 1 percent from county.

STATED RATIONALE and INTENDED OUTCOMES

To equalize school district tax base resources between wealthier areas and lower income areas of the state.

REGULATIONS

Legislature sets funding formula applied equally to all districts with oversight by the Department of Education and the State Auditor's Office.

UNINTENDED CONSEQUENCES

Investment in education is critical to the future of our state and the nation, however Arizona's funding of public school education has been dismal, ranking it with the very lowest states on the per pupil spending report card by state. During the period, 2008-2014, the Arizona legislature cut school funds by 17.2%, amounting to a cut of \$629 per student. In 2012, Arizona spent \$7,559 per pupil in education, less than three-fourths of the national average (\$10,608). Classroom instruction spending was less than two-thirds of the national average. While the legislature did increase funding during the 2014 legislative session, it amounted to an increase of only 2/10ths of one percent or \$5 per student according to analysis by the Center for Budget and Policy Priorities.

Some of the major cuts in K-12 education state funding include: a) cutting back full-day kindergarten to only half-day kindergarten, b) funding for 'soft capital and capital outlay' for textbooks, computers, technology and classroom supplies have been cut nearly in half (44 percent), c) eliminating the building renewal formula for public school building maintenance and repair and replacing it with a small grants program that is 80 percent lower than the funding provided in fiscal year 2008, d) suspending or eliminating altogether statutory funding formulas for K-12 education, community colleges and university financial aid.

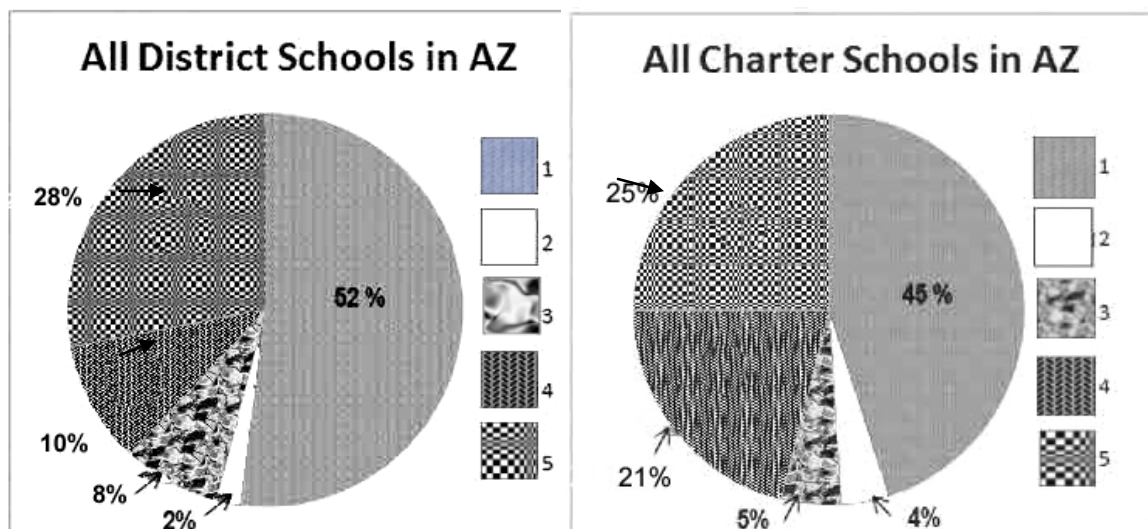
Funding cuts at the state level have forced cost shifting to local tax payers. There has been no alternative for public schools other than to seek critically needed maintenance and operations funding from local tax payers in the form of override elections.

Court ruling: During the summer of 2014, Maricopa County Superior Court Judge Katherine Cooper directed the Legislature to carry out the Arizona Supreme Court ruling requiring the Legislature to follow the will of the people by providing the 2000 voter approved automatic inflation adjustments to state aid for education. The ruling meant that schools would get another \$1.6 billion over the next five years and perhaps an additional \$1.3 billion the legislature had illegally withheld over the last five years. To date, the Legislature and the Governor have failed to act on the court ruling.

Advances in student achievement continue to be undermined by funding inadequacies. Funding by the state remains in great jeopardy as evidenced by additional public school cuts in the Governor's budget.

The 2014 State Superintendent's Report show the following breakdown of public school expenditures by budget category.

Percent of AZ Public School Budget Expenditures by Category



¹ Data Source: AZ State Superintendent's Annual Report for 2013-14
 Dysart USD data- pg. 61; All Dist. Schools - pg. 75; All Charter Schools - pg. 112
www.azed.gov/superintendent/files/2015/01/safr-2014-volume-i.pdf

School Tax Credits

DEFINITION/DESCRIPTION

Since 1998, the Arizona legislature has enacted a five point system of school tax credits for individuals and corporations. By using tax credits, taxpayers get a dollar-for-dollar reduction off their taxable income for state tax purposes. The program has two parts -- one for individual tax payers and the second for corporate tax payers.

The tax credit program for individual tax payers began in 1998 and includes:

- 1) a tuition tax credit (for private schooling) of \$514/\$1028 per single/couple in 2013.
- 2) a tax credit (for public schools) of \$200/\$400 (single/couple) for donations made in support of extra-curricular activities or character education in 2013.
- 3) a "Switcher" individual tuition tax credit program (for private schooling) was passed in the AZ 2012 Legislative session and permits an individual to make an additional donation of \$500 or \$1000 (per individual/couple) for private education beginning in tax year 2012.

The corporate tax credit program authorizes corporations to receive a dollar-for-dollar tax credit for donations to "Empowerment Scholarships" in support of private schooling and specifically designated for

- 4) low income students (started in 2006)
- 5) students with disabilities (started in 2009)

The "Tuition Tax Credit" donations for private school scholarships do not go directly from the donor to the private school. To avoid state constitutional prohibitions, the original 1997 tax-credit law created private non-profit school tuition organizations (STOs), to collect the money and distribute it as scholarships to students at private/parochial schools. (STOs defined and discussed on page 9.)

Individual and corporate donations to STOs since the beginning of the individual credit in 1998 through the end of FY2013 total \$689.3 million. A total of \$55.4 million in tax credit donations was reported for the 2013 fiscal year. Four STOs may also have received donations but did not file reports for the fiscal year.

STATED RATIONALE and INTENDED OUTCOMES

A) Allow people to specify donations to specific public schools to enhance designated extra-curricular activities/character education or B) in the case of private schools, as a donation for scholarships. No limit is placed on individual corporation tax credit donations to private/parochial schools up to total credit limit of \$42,998 million per year and up to a total of \$5 million for students with disabilities.

REGULATIONS

AZ Department of Revenue (AZDOR)

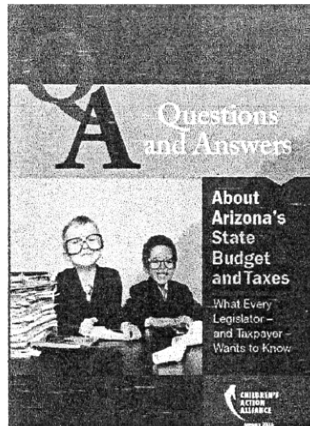
UNINTENDED CONSEQUENCES

Although there is a "feel good" aspect for individuals and corporations contributing to schools, the legislature's enactment of the tax credit program for public and private education has circumvented and undercut the fair and equitable distribution of state funding to educate all of AZ youth and has made it difficult for the state to return money to the schools as directed by the courts. Furthermore, it is depleting the general fund.

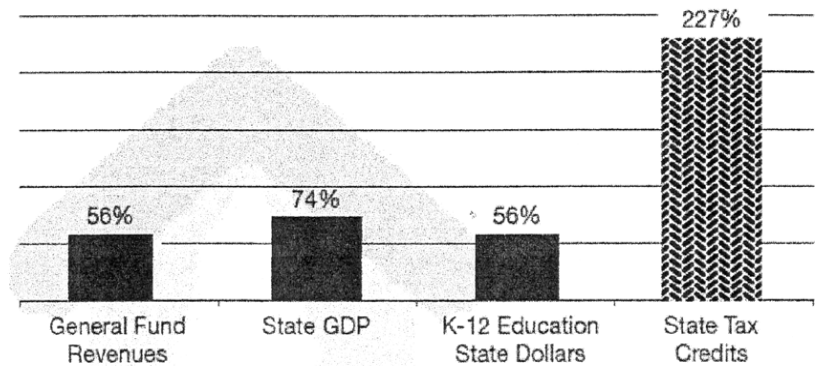
Public School Tax Credits: State annual reports show an uneven distribution of individual school tax credit monies for public schools (\$51.8 million in 2012); In general, schools with higher Title 1 enrollments (students who qualify for free and reduced lunch) receive substantially less than those in wealthier areas. According to the AZDOR report for 2013, "Twelve (12) school districts reported receiving fees or cash contributions in excess of \$1 million for a total of \$27,079,289 or 53.1% of all contributions received. In contrast, 432 school districts reported receiving fees or cash contributions ranging from \$50 to \$50,000 for a total of \$4,513,345 or 8.9% of all contributions received." In addition, the program has the effect of diverting dollars from low-performing schools (most with higher percent of disadvantaged and minority student population) rather than to assist lower performing schools to improve learning.

Graphs used with permission of the **Children's Action Alliance**.

For a more thorough discussion of the issues related to each graph and others, please consult the document published by the Children's Action Alliance, **Questions and Answers About Arizona's State Budget and Taxes: What Every Legislator – and Taxpayer – Wants to Know**, published January 2015.

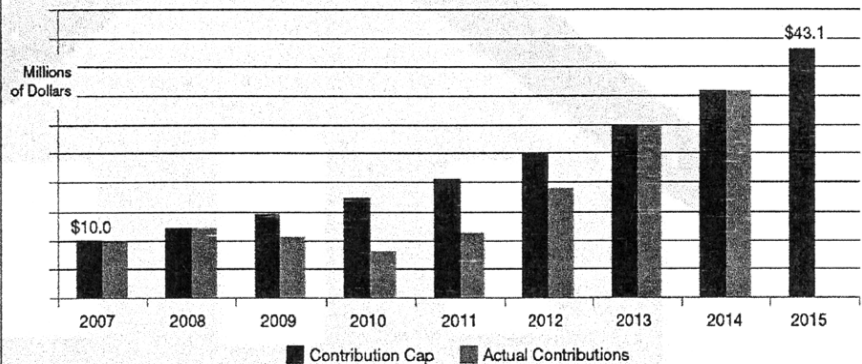


Tax Credits Are Growing Fast - Percent of Growth 1999 to 2012



Source: Joint Legislative Budget Committee Staff, *Appropriations Reports for FY 1999, FY 2000, FY 2012 and FY 2013*; Arizona Department of Revenue, *Arizona Income Tax Credits*, November 2014; U.S. Bureau of Economic Analysis, *Gross Domestic Product by State*.

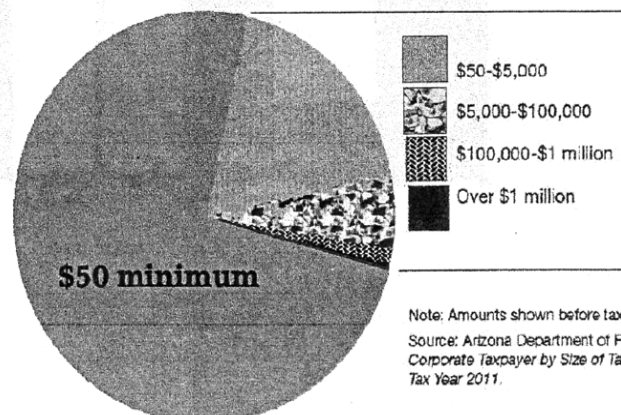
Corporate Private School Tuition Tax Credit Cap Doubles Every Four Years Corporations Now Maxing Out Their Contributions Every Year



Source: Arizona Department of Revenue, *Arizona Income Tax Credits*, November 2013; calculations by Children's Action Alliance.

"By fiscal year 2016, the cumulative impact of this steady stream of tax cuts enacted since 1990 will reach \$1.4 billion in less state revenues in just one year. These amounts are not adjusted for inflation—if they were, the impact would be more than doubled."

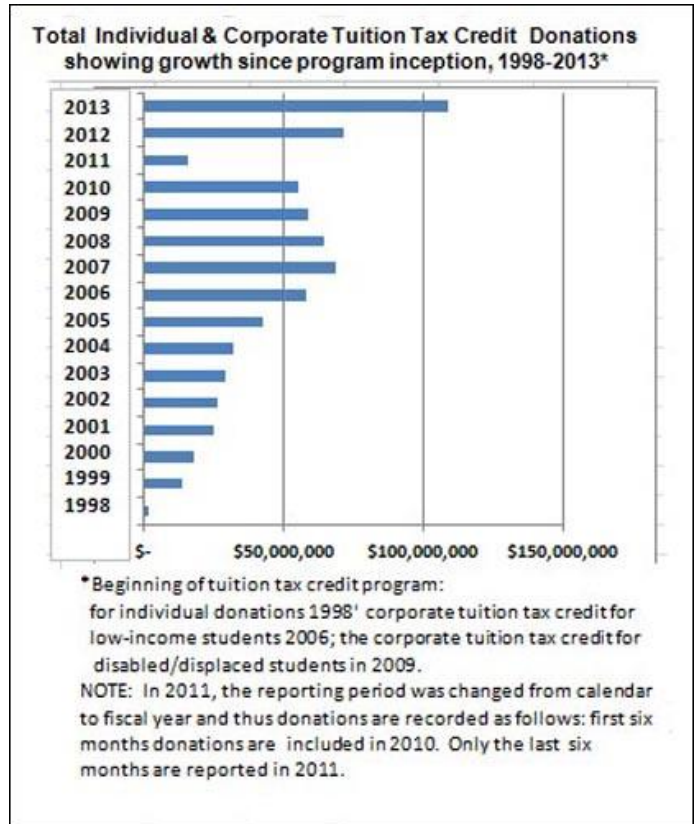
Only One-Fourth of Arizona Corporations Owed More than the \$50 Minimum in 2011



Note: Amounts shown before tax credits.
Source: Arizona Department of Revenue, *Corporate Taxpayer by Size of Tax Liability*, Tax Year 2011.

Tuition Tax Credits: According to the AZ Department of Revenue report, a total of \$55.4 million in tuition tax credit donations was reported for fiscal year 2013. Four other STOs may also have received donations but did not file reports for the fiscal year. Total tax revenue diverted, since the program beginning, equals more than one-half billion dollars which could have been available for pressing AZ needs like Child Protective Services, AHCCS and public education; instead the loss of legitimate tax revenue has been diverted to subsidize private and parochial education while public education funding continues to suffer. Serious conflicts of interest exist in this program.

As noted by the Children's Action Alliance, "the dollar value of tax credits claimed is growing at a much faster rate than state revenues, the state's economy or state spending on K-12 education. Each legislative session since 2005, at least one new tax credit has been added or expanded. Between 2010 and 2013, even as state revenues were plummeting due to the recession, eight new credits were created. Today there are 27 credits available to individuals and 22 available to corporations.



The tuition tax credit program is not well monitored permitting abuses in utilization of the benefits and personal profiteering by others. The program lacks the same accountability and control that state spending has and state lawmakers have virtually no accountability or control over tax credits once they are in state law. Furthermore, the legislature is unable to project the impact and cost of the program until after its implementation. The bar graph shows the growth of the tuition tax credit program since inception.

Empowerment Scholarships

DEFINITION/DESCRIPTION

Money received through the Tuition Tax Credit donations fund Empowerment Scholarships (termed private school vouchers in some states) for eligible children of AZ residents. Eligibility includes children of Arizona residents who are disabled or in low-performing schools (graded D or F by state), are children of active-duty military or children in foster care who have been adopted or are being adopted. The program provides parents of qualified students a bank card to pay private school costs, tutoring, curricula, textbooks, online classes and even tuition at AZ's public colleges. Individual scholarship amount varies depending on the area in which the student lives, grade level and any special needs. The STOs provided scholarships and grants to 337 private schools throughout Arizona in 2013. Current pending legislation would further loosen requirements for use.

Scholarships from STOs since the beginning of the individual credit in 1998 through the end of FY2013 total \$573 million. Scholarships from individual donations have made up the majority of this amount, 87.9 percent, because of the longer period of time in which this revenue has been available and because of fewer restrictions on scholarships from individual donations than from corporate donations.

STOs can allow donors to make recommendations when donating although Arizona law prohibits STOs from awarding scholarships solely on the basis of donor recommendations. In FY2012, 57 percent of

the 47 reporting STOs allowed donors to recommend specific students for scholarships when donating and approximately 57 percent of their donations had recommendations.

STATED RATIONALE and INTENDED OUTCOMES

The stated purpose is to provide a) parents greater school choice, b) to improve opportunity for low income students to attend private schools, c) increase academic achievement and d) increase school performance via competition among schools.

Unlike scholarships from individual income tax credit donations, low-income student corporate income tax and insurance premium tax-credit scholarships under this program are to be specifically restricted to low income and or disabled/displaced students. Recipients of these corporate scholarships must meet specific income limits plus other requirements. Additionally, the amount of scholarship that can be awarded is to be limited.

Students who are interested in receiving a disabled/displaced scholarship from an STO must first complete the Application for Eligibility and submit the application to the AZDOR in order to determine if student is eligible to be placed on the list of qualified students. A student placed on the qualified student list is not guaranteed a scholarship.

NOTE: There is no scholarship cap. A student can receive scholarships under this program from multiple STOs. STOs are required to report the percentage of scholarship dollars that go to families with income of 185 percent or less of the poverty level and the percentage of scholarship dollars that go to families with income ranging from above 185 percent of poverty level to 342.25 percent of poverty level.

For each student awarded a scholarship, the family must provide information on household income as defined by the United States Department of Agriculture (USDA) to determine eligibility for free or reduced price lunches. Income levels allowed for FY2013 which fit into the ranges are shown in the following table.

Household Size	185% of Poverty Level	342.25% of Poverty Level
2	\$27,991	\$51,783
3	\$35,317	\$65,336
4	\$42,643	\$78,890
5	\$49,969	\$92,443
6	\$57,295	\$105,996
7	\$64,621	\$119,549
8	\$71,947	\$133,102
Additional persons	\$7,326	\$13,553

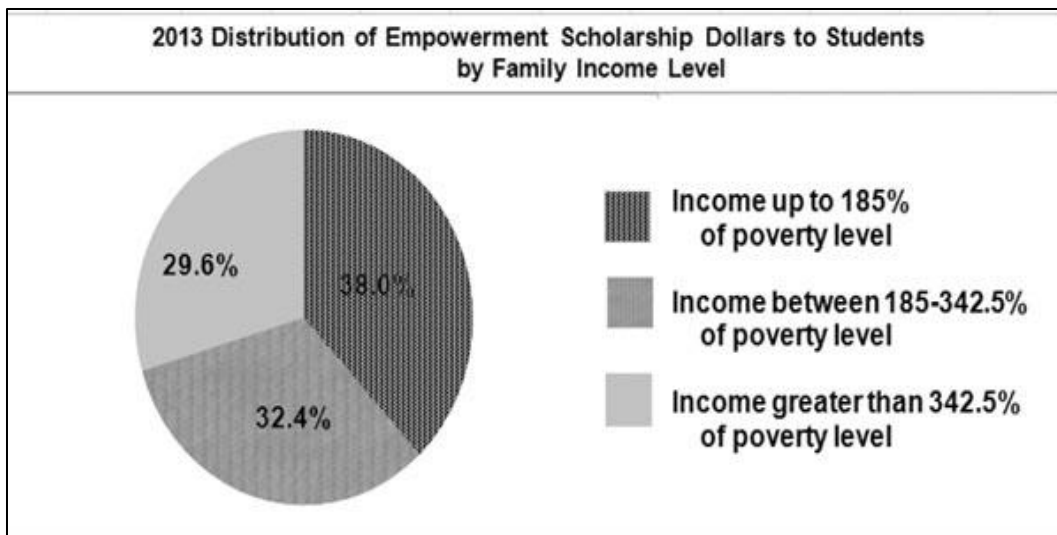
REGULATIONS

Although the AZ Dept. of Revenue (AZDOR) has jurisdiction and monitoring responsibility, DOR is limited in ability to identify or take action regarding any inappropriate donations/awards. (The AZ Republic found limited oversight of how money is solicited and spent despite rules established for fund monitoring.) No student achievement or school accountability is available since private school students are not required to take state tests to measure achievement.

UNINTENDED CONSEQUENCES

Since the beginning of the tax credit program, nearly \$700 million have been diverted as legitimate tax revenue from the AZ general fund while the state of AZ claims a lack of money for addressing child protective services, public education, healthcare for the most vulnerable and other state needs.

Tuition Tax Credits donated for Empowerment Scholarships (Private School Vouchers): The pie chart shows the distribution of scholarships by income level in 2013 with students from low income families at 185 percent of poverty receiving less than 40 percent of the scholarship dollars and approximately 30 percent of the dollars going to students in families with incomes above 342.25 percent of poverty. Lack of knowledge, time and/or ability to traverse the system may limit the participation of poor and minority families.



Operation of the program is expensive and lacks both transparency and accountability. Tuition tax credit donations go toward private education at schools which do not have the same state-mandated academic or accountability requirements. Some proponents financially benefit by connection with private schools.

Many recipients are students already attending private schools or siblings of the same. If one child is disabled or otherwise qualified to receive an empowerment scholarship to a private or parochial school, all other children in the family are also deemed eligible. STOs are required to allocate at least 90% of their donations to provide scholarships in each of the four donation programs. Allocate means to both award scholarships in the current year and/or reserve money for an award of a multiyear scholarship for a specific student. In 2013, STOs reported reserving \$20.5 million from the four programs for specific students in future years.

Forty-seven STOs paid \$49.6 million in scholarships in FY2013, a 9.6% increase over FY2012. The number of scholarships paid does not equate to the number of students receiving scholarships as many families seek scholarships from multiple STOs, resulting in one child being counted several times in the scholarship counts.

Public School Tax Credits for Extracurricular Activities and for Charter School Character Education: The program diverts potential dollars from low-performing schools (most with higher percent of disadvantaged and minority student population) rather than to assist lower performing schools to improve learning.

School Tuition Organizations (STO)

DEFINITION/DESCRIPTION

Student Tuition Organizations are the non-profit organizations authorized by state law and requiring certification by the Arizona Department of Revenue (ADOR) before collecting donations for tax credit purposes. An STO must be certified to collect donations from individuals and/or it must be also certified to collect donations from corporations. A taxpayer may donate through April 15th and count donation as tax credit in the preceding tax year.

The original individual income tax credit for donations to private school tuition organizations (STOs) became law in January 1998. Low-income corporate income tax credit for donations to STOs became law in September 2006. The disabled/displaced corporate income tax credit became law in August 2009. All three of these credits were changed by bills passed in the 2010 second regular legislative session and the 2012 second regular legislative session. The switcher individual income tax credit for donations to STOs became law in January 2012.

A total of 62 STOs were certified to operate in FY2013. Eleven STOs that were certified for individual donations did not have corporate certification. Four STOs that were certified for corporate donations did

not have individual certification. Three STOs dissolved in FY2013. All 48 STOs receiving donations under the original individual income tax credit program also received “switcher” credit donations in FY2013. A total of \$19.6 million was received under this donation program. An STO may retain up to 10 percent of donation monies for STO salaries and other operating costs. STOs are required by statute to report the names, job titles and salaries of the three highest-paid employees.

Of all corporate and individual donations made to STOs since 1998, Catholic Education Arizona, has collected the most money at \$123.5 million or 21.2 percent of all donations. The second largest recipient of donations has been the Arizona Christian School Tuition Organization at \$107.4 million or 18.5 percent of all donations (ACSTO only accepted individual donations.).

STATED RATIONALE and INTENDED OUTCOMES

Receive donations and disperse "empowerment scholarships" for private schooling to selected students.

REGULATIONS

AZ Department of Revenue (AZDOR). Any STO that wishes to receive donations from individuals or corporations for the purpose of taking an income tax credit must be certified by ADOR. No donations can be accepted until the STO appears on the appropriate list as a certified STO. An STO must complete the School Tuition Organization Application for Certification to Receive Corporate Donations and/or the School Tuition Organization Application for Certification to Receive Individual Donations.

A financial audit or review must be provided for all STOs accepting individual and corporate donations. In Fiscal Year 2011, STOs used 32 CPA firms, paying them \$265,619. STOs paid as little as \$500 and as much as \$14,500 for their audit or review.

STOs are required to report the percentage of scholarship dollars that go to families with income of 185 percent or less of the poverty level and the percentage of scholarship dollars that go to families with income ranging from above 185 percent of poverty level to 342.25 percent of poverty level. The AZDOR suggests it might be prudent for the STOs to ask for additional income documentation to verify what is reported on the USDA form. The documentation suggested could include a copy of the prior year's tax return or the last two paycheck stubs or perhaps a couple of bank statements.

All STOs certified to collect individual donations in FY2012 were evaluated as to their status in relation to the requirement that 90 percent of all revenue must be paid out in scholarships.

UNINTENDED CONSEQUENCES

Serious conflicts of interest exist. Expensive disbursement costs exist in awarding scholarships while the state has very little oversight of the program. It has become a profitable venture for staff members of some of the STOs. According to the AZ DOR report, in 2013, the top three employees of just three of the STOs received more than one-half million dollars in salaries from the tuition tax credit donations made to support private school or parochial school attendance. One legislator took a \$113,000 salary in 2013 from the tuition tax credit donations made to the STO he heads. The top execs at just 15 of the AZ STOs reaped more than \$1 million in salaries from the tuition tax credit donations in 2013.

Scholarship awards are poorly monitored with recipient application records routinely shredded by the STOs. However, investigative reporters looking at the STO scholarships year by year from 2003 to 2008 determined that two-thirds of the state's STOs had been out of compliance with the law over the five year period. Further examination of the issue to determine current compliance is needed.

Role of Federal Government

DEFINITION/DESCRIPTION

The Constitution leaves education to the states. Although education is a state and local responsibility, the federal role in education has been evolving over time with strings attached as a part of program grants and special funding.

STATED RATIONALE and INTENDED OUTCOMES

The Constitution provides Congress the power to provide funding for the general welfare of the United States. Congress has relied on the provision when enacting federal assistance programs addressing education such as the education of students with disabilities, No Child Left Behind and Race to the Top. Advances special interests through funding opportunities for auxiliary programs and services to states.

REGULATIONS

No role of the federal government in education except through strings attached to funded programs and projects.

UNINTENDED CONSEQUENCES

Federal programs regulated by federal law, rules and regulations.

Role of Business and FoundationsDEFINITION/DESCRIPTION

Promotion of education via providing expertise, guidance, equipment, money and other assistance.

STATED RATIONALE and INTENDED OUTCOMES

Improve education outcomes in specified areas with expertise, equipment and guidance provided.

REGULATIONS

None except through the requirements for funded programs and projects.

UNINTENDED CONSEQUENCES

There is a possibility vested interests could be promoted to the detriment of other programs and needs.

C. EDUCATION DELIVERY MODELS**Charter Schools (Public Funding)**DEFINITION/DESCRIPTION

Original concept: charter for a specified time period working with at-risk students. As now defined: Schools established by a charter, most often privately operated, which are legally independent, innovative, outcome-based public schools using tax money but do not have to be run according to the rules of a city or state. Reimbursed by the state on a per pupil basis.

STATED RATIONALE and INTENDED OUTCOMES

Created by the AZ Legislature in 1994, charter schools are state funded public schools established to give parents academic choices for their children while providing a learning environment to improve student achievement. Charter schools contract with the state or district to provide tuition-free educational services and are funded primarily by the state. The idea behind the deregulation of charter schools was that by providing independence and deregulation, it would permit innovation, improve test scores and lower costs.

REGULATIONS

Deregulation with limited State Charter Board oversight. In AZ, the state may audit a charter school but not a for-profit corporation hired to run a school. Although all charter schools in AZ are public schools, charter school boards meeting do not need to be public and/or the transactions transparent. A charter school board may be controlled by a single family. In contrast, district chartered schools must adhere to the district requirements for teacher certification, purchasing, etc.

UNINTENDED CONSEQUENCES

Research shows that unregulated charter schools have neither proven to be less costly nor to provide better student performance outcomes. The highest percentage of revenue for charters comes from state sources. Charter school accountability and transparency is lacking. Some financial entanglements exist between boards/operators and with the entities with which they do business which allow by-passing

purchasing openness and transparency. In a 2012 investigation of Arizona's 50 largest nonprofit charter schools and all of Arizona's nonprofit charter schools with assets exceeding \$10 million, Anne Ryman of The Arizona Republic found "at least 17 contracts or arrangements, totaling more than \$70 million over five years and involving about 40 school sites, in which money from the non-profit charter school went to for-profit or non-profit companies run by board members, executives or their relatives." High profits exist for investors and curriculum materials development.

Some requirements for parental involvement in the school and lack of transportation may preclude enrollment by less advantaged students. Special needs children and economically deprived may be shifted to district schools if some charters choose not to or do not have ability to meet the federal requirements for students with disabilities. Thus, there may be a re-segregation of schools.

Quality varies from excellent schools/instruction to poor. Like all public schools, there is variability in charter school student outcomes and instruction. The Stanford study of charter schools revealed AZ charter schools falling behind charters in other states, however the higher rate of poverty and lower spending per pupil in Arizona is a factor in the performance of AZ students in relation to other states. In comparing student performance between charter and district schools, the 2011 and 2012 state AIMS test performance showed charter and district students was virtually identical to the performance of public school students according to analysis by Thinking Arizona.

District Schools (public funding)

DEFINITION/DESCRIPTION

Traditional public school systems. In AZ includes Elementary School Districts (K-8), Union High School Districts (9-12) and Unified School Districts (K-12). May also include district chartered schools with district structure. School district sizes in AZ vary from huge (up to more than 66,000 students) to very small.

STATED RATIONALE and INTENDED OUTCOMES

Educating all of the younger generation is a public responsibility. Public or private school attendance is required for youth, ages 6-16 or through completion of the 10th grade, unless home schooled or age 14 in lawful employment approved by parent/guardian. Includes requirements for meeting needs of students with disabilities.

REGULATIONS

State Board oversight with local community board administrative/program oversight. Requires school board elections plus local Bond or Override Elections for funding. Student attendance oversight by school; can be referred to juvenile probation.

UNINTENDED CONSEQUENCES

Variability in funding levels have developed as state funding has been reduced and schools are more dependent on local taxpayers. Variability also exists related to student ethnic, economic status, parental support, needs for special services and student performance. The A, B, C grading of schools has been shown to be highly dependent on the number of disadvantaged/minority students in the school. In comparison of student performance between charter and district schools, as previously noted, the 2011 and 2012 state AIMS test performance by charter students was virtually identical to the performance of public school students according to analysis by Thinking Arizona.

Magnet Schools

DEFINITION/DESCRIPTION

Public school with specialized courses or curricula. Magnet refers to how students are drawn from within school district boundaries or an area. Emerged in 1960s.

STATED RATIONALE and INTENDED OUTCOMES

Originally to combat racial segregation. In 1970s became part of open school movement giving parent and student more choice and based on student interests. Encourage voluntary desegregation.

REGULATIONS

Local School Boards. In some cases, court ordered establishment of magnet schools, thus oversight by the court.

UNINTENDED CONSEQUENCES

Some hardship with transportation for extra-curricular activities; Separation of siblings; Test scores at magnet schools did not necessarily rise; In some districts, parental choice has created racially segregated programs.

Distance Learning**DEFINITION/DESCRIPTION**

Online technology, cable television and public television classes used for instructional delivery.

STATED RATIONALE and INTENDED OUTCOMES

Reduce cost of education. Provide options for reaching isolated or small student groups.

REGULATIONS

Little oversight. See online learning for further regulatory information.

UNINTENDED CONSEQUENCES

Low completion rates and little research on long-term effectiveness. Logistics of implementation sometimes difficult. Teacher/student interaction often insufficient.

Online Learning**DEFINITION/DESCRIPTION**

Use of internet resources to provide instruction. May or may not include any fact-to-face or online interaction with teachers. According to National Education Policy Center study, online education often uses the authority and mechanism of state charters along with home schooling, private companies and occasionally state entities to provide full-time online schooling. The State Board of Education selects traditional public schools and the State Board for Charter Schools sponsors charter schools to be online course providers or online schools.

STATED RATIONALE and INTENDED OUTCOMES

Meet the needs of pupils in the information age. Reduce cost of education. Provide enhanced resources/learning. Improve access to instruction for isolated students.

REGULATIONS

State Board of Education and the State Board for Charter Schools jointly have the responsibility for developing standards for the approval of online course providers and online schools and the annual reporting mechanisms for schools that participate in Arizona online instruction. Lacks systematic oversight and research of effectiveness especially for full-time online schooling.

UNINTENDED CONSEQUENCES

Depersonalized learning. Low completion rates. Little research on effectiveness other than for short-term online course work. May not involve teacher interaction. High profits for CEOs, investors and online instructional providers. Poorer students fare worse from lack of contact with teachers.

Virtual Charter Schools (Cyber Charters)**DEFINITION/DESCRIPTION**

Merging of charter schools, home-schooling and online learning into a single for-profit format. Use of online technology to replace classroom teachers and using charter structure.

STATED RATIONALE and INTENDED OUTCOMES

Operate online instruction with public funding to reduce costs and to individualize learning.

REGULATIONS

Virtually none.

UNINTENDED CONSEQUENCES

Instructional assistance and interaction frequently lacking which has proven to result in lower completion rates. Dropout rates during the school year often exceed 50 percent.

Opens doors to for-profit charters; attracts corporate sponsorship and money for special projects. Will it allow tax credit dollars for scholarships to flow into as with other private schools? Teachers may lack credentials. Nationwide virtual charter schools are a profitable business venture for their CEOs and investors.

Home Schooling**DEFINITION/DESCRIPTION**

Education of the child in the home by the parent or parents. Instruction must be in reading, grammar, math, social studies, and science.

STATED RATIONALE and INTENDED OUTCOMES

Parental control over social, safety, moral and educational issues plus child's mental or physical condition.

REGULATIONS

Little oversight and regulation. State law does not permit any government agency to exercise control or supervision over any nonpublic school or home school. If a pupil is concurrently enrolled in Arizona online instruction and a home school, the administration of all standardized tests for the pupil is the responsibility of the home school. .

UNINTENDED CONSEQUENCES

Children can miss out on interacting with other children; Home-schooling is a full time job requiring time, resources, commitment and subject matter competency to do the job thus variability in outcomes and performance. As age into upper grades and high school, some students may be ill-prepared socially and academically.

Joint Technical Education Districts (JTED)**DEFINITION/DESCRIPTION**

A public school district providing innovative career and technical programs located throughout the state. Many include automotive, architectural, engineering, culinary arts, health care, audio-visual production, etc. (ex. West-MEC - Western Maricopa Educ. Center and EVIT- East Valley Institute of Technology)

STATED RATIONALE and INTENDED OUTCOMES

To prepare students today for tomorrow's careers. Empowering students to participate fully in the economy by providing and enhancing career and technical education.

REGULATIONS

Elected School Boards. Establishment of each JTED must be approved by voters in the specific school district.

UNINTENDED CONSEQUENCES

Transportation to programs within school districts and to centralized programs is a problem for low income students; Funding may not be adequate for high cost technical programs.

Private Schools (including Parochial Schools)

DEFINITION/DESCRIPTION

Under Arizona law, private schools are free to operate as they see fit without the supervision of state or local education authorities. The private school exemption requires only that the parent or guardian of a child attending a 'regularly organized private or parochial school' file an affidavit stating that the child is attending a school that provides instruction in the subjects given in Arizona schools for the 'full time' that the schools or the local district are in session.

The State Board of Education has no regulatory power over private or parochial schools. Unlike the home teaching exemption, the private school exemption does not impose any qualifications for the private school instructor or require annual review to determine academic progress.

STATED RATIONALE and INTENDED OUTCOMES

Provide education to meet needs of students and improve academic achievement.

REGULATIONS

No regulation, however, private schools are required to meet certain guidelines regarding special education services and health and safety requirements.

UNINTENDED CONSEQUENCES

Tendency for the re-segregation of students. Without research data from independent studies, it is impossible to accurately assess achievement of goals.

C. STANDARDS AND CURRICULAR EMPHASIS

Arizona College and Career Ready Standards (ACCR)

DEFINITION/DESCRIPTION

Arizona's version of National Common Core Standards. NOTE: The creation of these standards was a state led effort coordinated by the National Governors' Association (NGA) and the Council of Chief State School Officers (In AZ, the State Supt. Of Public Instruction) and designed by consultants with input from groups of teachers, business and foundation professionals, organizations, parents, and school administrators.

STATED RATIONALE and INTENDED OUTCOMES

To provide a consistent set of English Language Arts (ELA)/Literacy and Mathematics expectations that prepare all students for college and career options. The standards are designed to ensure that AZ students are competitive in the global market of the 21st century. The adoption of these standards is to provide a more seamless education for students moving among schools since grade level standards and expectations are consistent across states.

REGULATIONS

State Board of Education oversight. (NOTE: The implementation for the new common set of K-12 assessments in English and math have been delayed for the 2014-15 academic year. The AZ Dept. of Education (AZED) has said the new tests when implemented will be primarily delivered online with innovative items designed to measure readiness for college and career.

UNINTENDED CONSEQUENCES

Actual implementation of ACCR standards remain a controversial, volatile and unfunded program. While many schools have implemented the new standards, reporting of results on accountability tests and systems to measure performance have been suspended for the 2014-2015 school year. There is a possibility of increased school dropout rates if evaluation is geared to testing for college-entry level. (NOTE: Statistics show that drop-outs are less likely to be employed, more likely to be under-employed and receive less compensation, thus placing their future offspring at greater likelihood of continuing the cycle of poverty.)

Common Core Standards

DEFINITION/DESCRIPTION

National standards in math and reading. An effort initiated by the National Governor's Association and Council of Chief State School Officers to develop a set of goals and standards with funding provided by a number of corporate sponsored foundations including the Gates Foundation and the Walmart Foundation. The standards provide the framework. The actual curriculum and assessment tests are left to each state with some developmental work available to the states for consideration as to actual use. The implementation of Arizona's standards remain in limbo given controversy and current pending legislation in 2015.

STATED RATIONALE and INTENDED OUTCOMES

Provide a consistent, clear understanding of what all students are expected to learn. Designed for emphasis on the real world and reflecting knowledge and skills needed for success in college, careers and to compete internationally. The intent is for a seamless education for students across participating states. The standards are also intended to alleviate the need for company and business to provide entry-level skills vs. employee in-service training.

REGULATIONS

State Board of Education oversight.

UNINTENDED CONSEQUENCES

Lowered emphasis on and less time available for other important subjects. Disproportionate emphasis on college for all could lead to increased school dropout rates. High profits for investors and curriculum materials/testing development. Results of tests are sometimes used as a singular assessment for salary evaluations of teachers, school principals and central school administration. Possibility of cheating to raise scores.

Other Curricular Approaches Include:

Comprehensive Education

DEFINITION/DESCRIPTION

Education at all grade levels with a broad array of subjects and experiences. A liberal education with some electives at the high school level to allow for individual interest and which includes civics education, geography, history, language arts, fine and performing arts, science, technology, architecture, math, engineering, health and physical education. It also includes extra-curricular activities to build character and interest.

STATED RATIONALE and INTENDED OUTCOMES

Students differ in aptitudes and readiness but need exposure to broad knowledge of the wider world as well as communication, analytic, problem-solving skills and an ability to apply knowledge and skills in real-world settings. Examinations are used by teachers for diagnostic purposes to help students at their individual level of achievement and to help them reach the next level.

REGULATIONS

Regulated by state curriculum standards applied locally. District developed sequencing. District developed grade level advancement and graduation requirements.

UNINTENDED CONSEQUENCES

Lack of consistency between districts and states causing controversy at state and national levels. Difficulty in comparing local, state, national and international student outcomes. Problem for advocates of national curriculum.

STEM

DEFINITION/DESCRIPTION

Emphasis on Science, Technology, Engineering, and Math disciplines for understanding, measuring and designing our world. An integrated, interdisciplinary approach via project-based, relevant student experiences.

STATED RATIONALE and INTENDED OUTCOMES

Geared to meet the need for workers with high tech skills in America.

REGULATIONS

Only as regulated by state curriculum.

UNINTENDED CONSEQUENCES

May limit resources for other important subjects including social studies (civics education, geography and history), language arts, fine arts, health and physical education.

STEAMDEFINITION/DESCRIPTION

Emphasis on Science, Technology, Engineering, Arts and Math.

STATED RATIONALE and INTENDED OUTCOMES

Integrating the arts into STEM curricular areas (as listed above).

REGULATIONS

Only as regulated by state curriculum.

UNINTENDED CONSEQUENCES

May limit resources for other important subjects including social studies (civics education, geography and history), health and physical education.

D. Teachers and Instruction, Management, Administration and Non-Classroom Staffing

Charter School Teaching StaffDEFINITION/DESCRIPTION

Teachers and administrators may or may not have subject-matter, child development knowledge or educational methods training.

STATED RATIONALE and INTENDED OUTCOMES

Flexibility to hire "the best"/ dismiss teachers and staff quickly (i.e. no tenure/seniority).

REGULATIONS

Little transparency and oversight of teacher effectiveness or protection of employee rights.

UNINTENDED CONSEQUENCES

Great variability in quality of teaching/learning.

District School PersonnelDEFINITION/DESCRIPTION

In addition to teachers, non-classroom personnel includes superintendents, assistant superintendents, principals, assistant principals, business services personnel, curriculum supervisors, nurses, librarians, counselors, special education teachers, special education supervisors, speech therapists, psychologists, bilingual specialists, secretaries, custodians, bus drivers, athletic directors, coaches.

Size of districts differs from very large to very small and differ in socio-economic and ethnic populations.

STATED RATIONALE and INTENDED OUTCOMES

Supports instructional program and specialized needs of students.

REGULATIONS

Strict oversight by law. Costs for each district are audited each year by the State Auditor General, although the purpose is primarily to identify classroom vs. non-classroom expenses. Requires a wide array of staffing to provide all services mandated by law or district regulations and to meet the variety of student special needs.

UNINTENDED CONSEQUENCES

Schools are used to address societal needs. School districts incur costs of unfunded legislative mandates. The needs are not always understood by some citizens. Non-classroom costs are frequently considered wasteful and profligate spending by some citizens although audited by State Auditor General. Procedures and ongoing in-service education needed for entire staff (classroom personnel, lunch-room monitors, recess supervisors, custodians, etc.) to help protect students from issues like bullying and the type of tragedies/emergencies which have incurred throughout the nation. Variability in quality of teaching. US. Census Bureau Public Education Finances 2010 report showed AZ public schools spent the least in the nation on administrative costs.

Teacher Benefits**DEFINITION/DESCRIPTION**

Part of the compensation package for professional service (i.e. Health insurance and sick leave).

STATED RATIONALE and INTENDED OUTCOMES

Security and support for the profession.

REGULATIONS

State, district or system regulation.

UNINTENDED CONSEQUENCES

Can be taken away by the legislature without cause. Some members of the private sector object to provision of any benefits.

Teacher Certification**DEFINITION/DESCRIPTION**

Requires specified academic credit hours in subject matter and pedagogy for certification to teach various grade levels and/or subject matters.

STATED RATIONALE and INTENDED OUTCOMES

Teachers who are well trained in subject matter and pedagogy improve student learning.

REGULATIONS

Set by State Board of Education; enforced by Office of State Superintendent.

UNINTENDED CONSEQUENCES

May be circumvented in times of teacher shortage, hard to fill vacancies, or need for substitute teachers.

National Teacher Board Certification**DEFINITION/DESCRIPTION**

An advanced teaching credential. Teachers must analyze their teaching context and students' needs, submit videos of their teaching, and provide student work samples that demonstrate growth and achievement. Submissions must demonstrate: 1) a strong command of content; 2) ability to design appropriate learning experiences that advance student learning; 3) use of assessments to inform instructional decision making; and 4) partnerships with colleagues, parents and the community.

NOTE: *Mitchell 20*, a documentary film of 20 to 29 teachers in one AZ elementary district who set out to improve the quality of their teaching and seek national certification. (see www.Mitchell20.com)

STATED RATIONALE and INTENDED OUTCOMES

Hold teachers to a high professional standard, thus ultimately improving classroom instruction and student learning. Voluntary program takes one to three years to complete and is recognized in most states as a valid certification. Similar to Board Certification in fields like medicine, A rigorous, peer-reviewed and time consuming process ensuring that Board-Certified Teachers have proven skills to advance student achievement.

REGULATIONS

National Board for Professional Teaching Standards. (Must be renewed periodically via initial process.)

UNINTENDED CONSEQUENCES

The intensity of the program requirements may preclude some teachers from participating. May cause jealousy among teachers. Some systems do not value the process and certification while others use National Board Certification for teacher recognition and/or enhanced salary.

Teach for America

DEFINITION/DESCRIPTION

Concept of Peace Corps with two-year commitment. Requires baccalaureate degree, not necessarily in subject matter. Five-week teacher training program required.

STATED RATIONALE and INTENDED OUTCOMES

Attract bright and enthusiastic people to serve teaching profession for short time. Close the achievement gap.

REGULATIONS

Lacks regulation and research

UNINTENDED CONSEQUENCES

High turnover. No long term commitment. Loss of continuity for students. Recent reports indicate 60 percent of TFA teachers stay for a third year, after that the numbers significantly drop. Turnover rate is costly to schools. Costs include a finder's fee (between \$2000-\$5,000) for each teacher placed by TFA in addition to the salary and benefits the schools must pay. Attracts corporate/foundation funding for special projects. Little research evidence of increased achievement. Many participants have little previous experience with children..

Teacher Program Accreditation

DEFINITION/DESCRIPTION

College academic program approved by a national or regional professional accrediting association.

STATED RATIONALE and INTENDED OUTCOMES

Programs meeting accreditation standards provide better teachers and school administrators.

REGULATIONS

Rigid standards by agency for accreditation including subject matter competency and emphasis on higher order thinking skills.

UNINTENDED CONSEQUENCES

State Board does not require program accreditation in AZ. Only one of 20 teacher prep programs in AZ has national program accreditation (NAU). Great variability in unaccredited teacher preparation programs including insuring competency in subject matter requirements.

University/College Teacher Preparation Programs

DEFINITION/DESCRIPTION

An academic program to prepare classroom teachers.

STATED RATIONALE and INTENDED OUTCOMES

Academic program insures quality.

REGULATIONS

Set by degree granting institution.

UNINTENDED CONSEQUENCES

May lack subject matter specialty and teaching methodology. May or may not be an accredited program.

Teacher Professional Organizations/Unions

DEFINITION/DESCRIPTION

1. National Education Association (NEA) professional teacher organization (does not include school administrators). 2. American Federation of Teachers (AFT) - affiliated with AFL/CIO; may include administrators

STATED RATIONALE and INTENDED OUTCOMES

Organize to protect and promote the rights and welfare of teachers.

REGULATIONS

Regulated by national, state and local elected board.

UNINTENDED CONSEQUENCES

Two groups originally competed with one another for representation, now cooperate for mutual advantage. Some see as self-indulgent and protective of poor teachers. Targeted by those opposed to unions.

Teacher Tenure

DEFINITION/DESCRIPTION

Following probationary status (generally three or more years), protected from incidental/biased forces.

STATED RATIONALE and INTENDED OUTCOMES

Provides for academic freedom and allows for individual teacher creativity.

REGULATIONS

State law

UNINTENDED CONSEQUENCES

Occasionally some poor teachers have been retained because the 'due process' procedure for dismissal is complex and time consuming.

Education Management Organization (EMO)

DEFINITION/DESCRIPTION

Private management firm hired to operate schools including some charter or district schools.

STATED RATIONALE and INTENDED OUTCOMES

Improve management of school.

REGULATIONS

Little oversight.

UNINTENDED CONSEQUENCES

Payment to outside management group reduces resources for teaching/learning. Adds cost. Local district and its residents lose control when management of school is contracted to outside group.

Other Outsourced Services

DEFINITION/DESCRIPTION

The contracting (outsourcing) of public school services to for-profit entities. Services outsourced may include transportation, school food services, recess and play-ground supervision, custodial services, employment services, teachers, substitute teaching and administration.

STATED RATIONALE and INTENDED OUTCOMES

To save costs, improve services and relieve the school district and/or charter organization of the responsibilities.

REGULATIONS

Oversight by the school district or school site.

UNINTENDED CONSEQUENCES

The profit the outside entities consume reduces money available for instructional or other district services. In the case of some charter schools, much of the expense attended with running the schools are sub-contracted to for-profit organizations or entities including buildings, maintenance, curriculum, books, teachers, materials, administrators, etc. Privatization of public schools.

E. Evaluation/Testing/Assessments/Performance

High Stakes Testing

DEFINITION/DESCRIPTION

Test students every year and grades everyone including students, teachers and schools. High Stakes Testing: 1) is a single defined assessment, 2) has a clear line drawn between those who pass and fail, and 3) has direct consequences for passing or failing.

High stakes testing of public school students used, for example, for "No Child Left Behind" (NCLB), "Race to the Top", and AZ's assessments. NCLB mandated the annual testing -- using each state's achievement test -- of every child in grades three through eight. The law required that by 2014, every child must achieve proficiency in reading and math as measured by the high stakes tests, but it left the definition of proficiency to each state. In 2010, the Arizona Legislature enacted Arizona Revised Statute §15-241 (A.R.S. §15-241) to create the A-F letter grade accountability system adopted in June 2011 by the State Board of Education.

STATED RATIONALE and INTENDED OUTCOMES

Raise standards and outcomes. Evaluate and hold schools, teachers and administrators accountable. The A-F Letter Grades were designed to place equal value on current year achievement and longitudinal academic growth, specifically the growth of all students as well as a school's lowest achieving students. Schools that are small (125 students or less) were not graded, leaving many of Arizona's charter schools off the list.

REGULATIONS

State mandated testing program. Required use of high stakes testing (AZ AIMS) to qualify for federal No Child Left Behind or Race to the Top monies. Also sets grade advancement and graduation requirements. As of Nov. 2014 the State Board adopted a new statewide test, AzMERIT, for Arizona students.

UNINTENDED CONSEQUENCES

May reduce time available for instruction in areas other than testing area. May encourage using instructional methods resembling testing ("teach to the test"). Obscures use of student evaluation for diagnostic purpose to improve learning. The rating and ranking of states, schools, teachers and

administrators often based solely on student test outcomes. Comparisons made without consideration of student economic, ethnic and special needs characteristics. AZ school performance on AIMS varies with socio-economic conditions--even within the same district. Performance on AIMS test by school are highly correlated to the number of minority or economically disadvantaged students. Differing evaluations used in recent years show considerable variation in results.

National Assessment of Educational Progress (Nation's Report Card)

DEFINITION/DESCRIPTION

Largest nationally representative and continuous assessment of what students know and can do in various subjects.

STATED RATIONALE and INTENDED OUTCOMES

Make comparative measure of education performance, thus making schools and students accountable for learning certain basics by grade level.

REGULATIONS

National Center for Education Statistics

UNINTENDED CONSEQUENCES

In 2011, AZ ranked 44th in 4th grade math, 46th in 4th grade reading, 40th in both 8th grade math and reading. Since testing started in 2003, AZ is one of 6 states never exceeding bottom 1/3 of all states on any of the tests. The state, of course, also has a very large proportion of children living in poverty which is the most important factor contributing to low academic achievement.

Programs for International Student Assessment (P.I.S.A)

DEFINITION/DESCRIPTION

Assessment conducted every 3 years in 65 countries by the Organization for Economic Cooperation and Development (OECD). PISA 2012 is the program's 5th survey. It assessed the competencies of 15-year-olds in reading, mathematics and science (with a focus on mathematics) in 65 countries and economies. Around 510,000 students between the ages of 15 years 3 months and 16 years 2 months participated in the assessment, representing about 28 million 15-year-olds globally.

The students took a paper-based test that lasted 2 hours. The tests were a mixture of open-ended and multiple-choice questions that were organized in groups based on a passage setting out a real-life situation. A total of about 390 minutes of test items were covered. Students took different combinations of different tests. They and their school principals also answered questionnaires to provide information about the students' backgrounds, schools and learning experiences and about the broader school system and learning environment.

STATED RATIONALE and INTENDED OUTCOMES

Make comparative measure of education performance. Tests 15 year-olds on skills and knowledge (primarily math) via 2 hr. test-open-ended and multiple choice.

REGULATIONS

Regulated by OECD

UNINTENDED CONSEQUENCES

Makes apples/oranges comparison. Some countries test primarily higher ability students. U.S. tests all students. Used to compare countries not students. Favors countries with highly regimented traditional education programs. Results often quoted out of context.

F. Specialized Legislation & Policies

First Things First (FTF)

DEFINITION/DESCRIPTION

Citizen's initiative, passed in 2006 by voters as Proposition 203, to fund quality early childhood development and health services with monies raised through the tax surcharge on tobacco sales. FTF is a critical partner in creating an AZ family-centered, comprehensive, collaborative & high-quality early childhood system.

STATED RATIONALE and INTENDED OUTCOMES

Ninety (90) percent of a child's brain develops before kindergarten. Early experiences provide the foundation for success in school and in life with \$1 invested in early childhood yielding a \$16 return. First Things First is committed to helping Arizona kids, five and younger, receive the quality education, healthcare and family support they need to arrive at school healthy and ready to succeed.

REGULATIONS

AZ Early Childhood Development and Health Board is charged with approving local funding plans and contracts and in ensuring services funded at the statewide and local levels result in improved education and health outcomes for these young children. Thirty one (31) regional councils have been established throughout the state.

UNINTENDED CONSEQUENCES

Variability in availability of programs throughout state. 2010 state legislature cut many of the programs which FTF is to supplement.

Move On When Reading

DEFINITION/DESCRIPTION

Students must be able to read at prescribed level on AIMS or other state approved achievement test. Students will not be promoted to 4th grade if reading score falls far below prescribed 3rd grade level. NOTE: AZ law modeled on FL law, however Florida also provided very substantial funding for a multitude of intervention strategies aimed at meeting needs at K-3.

STATED RATIONALE and INTENDED OUTCOMES

Children who read proficiently by the end of third grade are far more likely to graduate from high school and have successful careers. \$40 million provided the first year for planning with no guarantee for further provisions.

REGULATIONS

State Board of Education. Sets many program requirements like assignment to different reading teacher, summer school remediation programs and before/after school remediation programs. Retention mandate is not required of special education students on Individual Education Plans.

UNINTENDED CONSEQUENCES

Funding for intervention strategies to address deficiencies early on in a child's schooling will be needed. Without adequate funding support, the needed and continuing intervention strategies may require schools to take funds from other programs. Schools may lack qualified remedial reading teachers/materials. Of 21 national research studies, 18 reported negative or neutral program impact of being held back at 3rd grade. Early retention has also shown long-term disadvantages for students including lower achievement, aggression and bullying, high school drop-outs, and dramatically reduced college attendance.

English as Second Language and Bilingual Education

DEFINITION/DESCRIPTION

Legislation acts to insure that non-English or limited English speakers have equal access to education programs. i.e. ESL -English as second Language

ELL - English language learners
 LEP - Limited English proficiency
 ESOL- English speaker of other languages
 EO - English only (Arizona - instruction entirely in English)

STATED RATIONALE and INTENDED OUTCOMES

Title VI of the Civil Rights Act of 1964 states "No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex or national origin, by the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs." Title VI and the Office of Civil Rights memorandum, Identification of Discrimination and Denial of Service on the basis of national origin, set the stage for the 'Bilingual Education Act of 1968'. The act addressed the rights of English language learners in public schools guaranteeing them equal access to education programs.

Title III of the No Child Left Behind (NCLB) Act, 2001 "...requires that all English language learners (ELLs) receive quality instruction for learning both English and grade-level academic content." As quoted from the U.S. Supreme Court, "In these days, it is doubtful that any child may reasonably be expected to succeed in life if he (she) is denied the opportunity of an education."

Proposition 203 - Voter proposition initiating a change in educational programming for non-English speaking students. English-only programs replaced bilingual education and ESL programs in many school districts. English-only is a four-hour program in which instruction is only in English. In 2010, the U.S. Education and Justice Departments determined that the Arizona home language survey a tool used to determine what language a student speaks at home did not fully capture the pool of students who should be assessed for English language skills to see if they needed special services. Arizona changed its survey to comply with the agencies' decision. In addition, the Education and Justice Department found fault with Arizona for reclassifying ELLs as fluent in English even if they were unable to pass all sections of the state's English language proficiency test.

REGULATIONS

Oversight is provided by the Office of Civil Rights in the U.S. Department of Education. State oversight is provided by the AZDOE.

UNINTENDED CONSEQUENCES

The policies appear to be more related to immigration politics than to best practices for educating English learners according to research literature. Studies of longitudinal data of the policies in only three states – California, Arizona, and Massachusetts -- show that using English language only education has not resulted in closing the achievement gaps as promised. Students not proficient in English have lost equal opportunities for education. Policy has been costly to AZ for court battles to defend elimination of bilingual education and ESL programs.

Title I of Elementary and Secondary Education Act - 1965, PL 94-142

IDEA (Individuals with Disabilities Education Act 1990)

DEFINITION/DESCRIPTION

Legislation directed at improving the academic achievement of the disadvantaged. Changed name from "handicapped children" to "children with disabilities". Changed provision from "children as early as 3-years old" to "from time children are toddlers to the time they receive a stable job."

STATED RATIONALE and INTENDED OUTCOMES

Insure that all students have a fair, equal and significant opportunity to obtain a high quality education. Provide broad spectrum of help to children with disabilities and an opportunity for quality education.

REGULATIONS

Regulated by federal law. Requires individual education plan (IEP) for 1) least restrictive environment, 2) parent and student participation, 3) highly qualified special education teacher, 4) assistance for children with disabilities including services and procedural safeguards.

UNINTENDED CONSEQUENCES

May be difficult for smaller district schools to meet requirements for providing staffing and inclusion in mainstream classroom especially for severe disabilities. Additional personnel needed to meet federal requirements. Sometimes difficult for districts to meet inclusion needs for students. Requires additional staffing, training of all staff and materials.

Title 9, Educational Amendments -1972 (PL 92-318)**DEFINITION/DESCRIPTION**

No person shall be denied participation on the basis of sex in any program funded by the federal government.

STATED RATIONALE and INTENDED OUTCOMES

Equal opportunity for girls and women.

REGULATIONS

Federal law.

UNINTENDED CONSEQUENCES

Some men's team sports programs dropped to provide equal number of programs for women. Additional program costs. One-third of states have passed non-discrimination laws regardless of receiving federal funds.

Federal Impact Aid Program**DEFINITION/DESCRIPTION**

Basic support payments distributed to school districts by formula based on number of students served who meet federal connection qualifications. Doesn't cover full cost of educating students of military. Started in 1950. Funding down since 1990s.

STATED RATIONALE and INTENDED OUTCOMES

To directly compensate local districts for lost revenue due to presence of federally owned and tax-exempt property and help with costs for "federally connected" students i.e. children of nearby armed service personnel.

REGULATIONS

Federal and state oversight.

UNINTENDED CONSEQUENCES

Thirty percent of monies promised never completely funded.

Acknowledgements and Information Sources:

Arizona Department of Education www.azed.gov
Arizona Department of Revenue www.azdor.gov
Arizona Republic Investigative Reports and Columns www.azcentral.com
Arizona State University Education Policy Studies Laboratory Reports www.epsl.asu.edu/high-stakes-testing.htm
Arizona STEM Network www.sfaz.org/STEM/
American Association of University Women www.aauw.org
Annie E. Casey Foundation: Kids Count www.aecf.org/
Capitol Media Services
Center for the Future of Arizona www.arizonafuture.org
Children's Action Alliance www.azchildren.org
Common Core State Standards Initiative www.corestandards.org/
East Valley Tribune www.eastvalleytribune.com/
Education Commission of the States www.ecs.org
Expect More Arizona www.expectmorearizona.org
First Things First in Arizona www.readyazkids.com/
Helios Education Foundation www.helios.org/
League of Women Voters www.lwv.org
Marisco Institute for Early Learning and Literacy (Univ. of Denver)
www.du.edu/mariscoinstitute
National Education Policy Center (located at the University of Colorado)
www.nepc.colorado.edu
Partnership for 21st Century Skills www.p21.org
Thinking Arizona www.thinkingarizona.com
Virginia G. Piper Charitable Trust www.pipertrust.org/blog/publications-category/other-publications/

 Appreciation is expressed for the helpful review, suggestions and input provided by Doris N. Flax, Duane Thompson, Barbara Sausen, Richard Gilman, Elizabeth Rielly, Mary Jo Blum and Bonnie Boyce-Wilson and the review by the board members of the LWV-NW Maricopa County.

Dr. John Kohl, dean and professor emeritus at Montana State University, has been an Arizona resident for the past 13 years. During his 47 years in education, he served at all levels of education -- as a teacher, professor and administrator. His experience includes work as Senior Associate with the Education Commission of the States (State Governors and Chief State School Officers), on the Board of the NW Educational Laboratory, Professor of Education and Director of the Center for Cooperative Research with Schools at The Pennsylvania State University, and Pennsylvania State Director of the Appalachian Educational Laboratory.

Dr. Joye B. Kohl, served on the faculty at The Pennsylvania State University, taught, did research, directed grants and served as a development officer at Montana State University. She started her professional career with the University of Wyoming Extension Service prior to a year-long government study in Washington, D.C. Much of her professional career has been focused on "at-risk youth" issues.

 Published as a white paper by the League of Women Voters-Northwest Maricopa County
 February 2014, Revised February 2015