

ANCHORAGE SCHOOL DISTRICT  
ANCHORAGE, ALASKA

ASD MEMORANDUM #25 (2001-2002)

August 27, 2001

TO: SCHOOL BOARD  
FROM: OFFICE OF THE SUPERINTENDENT  
SUBJECT: FEDERAL LEGISLATION UPDATE

PERTINENT FACTS:

The Elementary and Secondary Education Act (ESEA) comprises the majority of the federal government's commitment to K-12 education.

H.R. I, the House ESEA bill, was passed on May 23<sup>rd</sup> by a vote of 384 to 45. The Senate bill, S. 1, was approved by a vote of 91 to 8 on June 14<sup>th</sup>. The bill that will ultimately reach the White House in the fall will be composed of elements from both the House and Senate versions.

The conference committee responsible for resolving differences between the House and Senate bills is scheduled to resume meeting in September, following a month-long August recess.

**Highlights of ESEA**

There are many issues within ESEA on which one could comment. However, to be effective in influencing legislation, organizations such as the Anchorage School District, or organizations to which we belong, such as the Alaska Association of School Boards or the Council of Great City Schools, must focus their energies on key provisions within the bill that have the potential for the greatest impact upon them. These issues include:

Full funding of IDEA, Senate  
IDEA student discipline, House and Senate  
"Straight A's Block Grant" demonstration program, Senate  
Local "transferability" and "charter district" provisions, House

Full funding of IDEA (Senate)

When IDEA became law in 1975, the federal government promised to fund 40 percent of the cost of educating children with disabilities. Yet, Congress has never paid more than 15 percent of the cost, or about one-third of its obligation. School districts and local taxpayers make up the difference.

The Harkin-Hagel amendment to Senate Bill 1 would fund 40 percent of IDEA by increasing IDEA by an estimated \$2.5 billion over each of the next six years. The House bill does not contain any extra funding for IDEA. The Harkin-Hagel amendment, if passed, would increase special education funding to the Anchorage School District by an estimated \$3,742,500 in FY 2002, with an estimated cumulative increase of \$64,993,700 from FY 2002 through FY 2007. Senator Stevens is a co-sponsor of the mandatory full funding bill.

#### IDEA student discipline amendments (House and Senate)

IDEA discipline amendments (S. Amdt. No. 604 and H. Amdt. No. 55, respectively) offered by Senator Sessions and Representative Norwood would revise current IDEA discipline policy. Currently, students with disabilities who are suspended or expelled retain the right to a free and appropriate education in an alternative setting. Non-disabled students do not have this right. The passage of either of these amendments into law would modify or remove this right from disabled students as well.

#### Straight A's Block Grant demonstration program (Senate)

The Straight A's plan in the Senate bill shifts federal ESEA funding and program authority away from local education agencies to the state level. If approved, up to seven states could apply for the block grant and then use the money for education in any manner they propose. It has been characterized as giving more money to state officials, at the expense of local school districts.

If Alaska were to apply and receive one of the seven grants, it is estimated that \$2,464,766 would be diverted from local school districts to the state.

#### Local "Transferability" and "Charter District" provisions (House)

Unlike the Straight A's plan that gives more control to the state, the "local transferability" and "charter district" provisions provide more control of resources to local school districts.

"Local transferability" is a proposal submitted by the Council of Great City Schools to Congress, and which played a big part in keeping Straight A's out of the House bill. Basically, it allows a school district to transfer money among an assortment of ESEA programs, including Title II (Teachers), Title IV part A (Innovative Programs), Title V part A (Safe and Drug Free Schools), and Title V part B (Technology -formula

portion). Local school districts would not have to receive permission from the state or the Education Secretary to transfer funds. ESEA programs such as IDEA and Title I are not included in the "local transferability" proposal.

The "charter district" provision does not refer to charter schools as the Anchorage School District knows them. Rather, the provision essentially allows 100 school districts throughout the nation, two per state, to enter into a five-year agreement with the Education Secretary that allows them to waive Title II, III, IV and VI federal program requirements in exchange for a federally approved academic improvement plan. The 100 school districts could then spend their Title II, III, IV and VI funds on local academic improvement priorities of their choice.

### **Title I 2001 Funding**

The final Supplemental Appropriations Act for 2001 contained \$161 million needed to complete FY 2001 Title I allocations.

The Anchorage School District will receive an estimated additional \$131,314 in Title I funds for FY 2001 as a result of its passage.

### **Alaskan Congressional Delegation**

The following contact information is provided for individuals wishing to comment on the reauthorization of ESEA:

<b>Senator Ted Stevens</b>	<b>Senator Frank Murkowski</b>	<b>Representative Don Young</b>
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