



Superintendent's Federal Update #1 April 12, 2004

Welcome to Update #1

1. Federal Reauthorization Overview
2. No Child Left Behind (NCLB)
3. Individuals with Disabilities Act (IDEA)

Welcome to Update #1

Welcome to this first issue of the Superintendent's Federal Update. This periodic electronic memo is designed to provide you with brief and timely information on federal issues and their impacts on Oregon districts, schools and students. We welcome your insights on these issues and your contributions on behalf of every Oregon student.

1) Federal Reauthorization Overview

The 108th Congress has been a full and complicated one. Six major pieces of education-related legislation are currently up for reauthorization. With the growing budget deficit, there have been major funding battles in Congress to support the No Child Left Behind Act (NCLB), the Individuals with Disabilities Act (IDEA), and other critical education programs. NCLB and IDEA are the focus of this Update.

With the election severely limiting the number of legislative days remaining in the session, it is unclear whether either of these bills will be enacted before the 108th Congress adjourns.

2) No Child Left Behind

There is growing pressure on the Congress for continued discussion about how to improve the NCLB legislation.

The superintendent has been working hard with Oregon's Congressional delegation and with Secretary of Education, Rod Paige, on obtaining greater flexibility in NCLB, while not lowering standards for any student. The following news release provides information on a recent letter from Superintendent Castillo and Senator Ron Wyden to Secretary of Education Rod Paige:

<http://www.ode.state.or.us/news/releases/default.aspx?yr=2004&kw=&rid=356> We anticipate continued refinement of NCLB, without lowering standards will best serve Oregon students.

In addition, to the Superintendent's work with the Council of Chief State School Officers (CCSSO), the National Conference of State Legislatures (NCSL) is also examining ways to improve the law in its current form. See the following link for details: <http://www.ncsl.org/programs/press/2004/pr040330.htm>

3) Individuals with Disabilities Education Act (IDEA)

The Senate IDEA bill (S. 1248) is very problematic for states. First, it fails to adequately address the definition of “highly qualified” for special education teachers. Chairman Gregg and Ranking Member Kennedy have agreed to address the problem in the House/Senate Conference. Second, the bill denies states sufficient administrative resources. By capping the state set aside and state administrative fund, the bill limits the amount available for states to implement the reforms to IDEA. Yet, at the same time, the bill demands more of state education agencies (SEAs). They must collect more data, and they have a much stronger responsibility to enforce the provisions of IDEA. The ultimate responsibility for enforcement now rests with SEAs, who will each be labeled: “compliant,” “non-compliant,” “significantly non-compliant,” or “egregiously non-compliant.” Similar to NCLB, there are many new demands on the SEA without requisite funds.

The Senate is still committed to getting a bill done and on the President’s desk this year. While it is possible that the Senate may not complete work, it is clear that neither the Republicans nor the Democrats are currently trying to prevent the bill from being completed. The Senate has tentatively rescheduled the bill for floor debate in early May. However, there is a little doubt for completing a conference report, so it may be likely to end up having to start the IDEA reauthorization process all over again in the next Congress.

In working with the Council of Chief State School Officers, and a number of other national organizations - the National Association of State Boards of Education (NASBE), The National Conference of State Legislatures (NCSL), and the National Association of State Directors of Special Education (NASDSE) - Superintendent Castillo has expressed concern about many provisions found in the Senate version (S. 1248). See http://www.ccsso.org/federal_programs/IDEA/index.cfm for additional information.

The Superintendent acknowledges the contribution of the Council of Chief State School Officers, the National Conference of State Legislatures and the Office of Senator Ron Wyden for contributions to this update. For further information contact:

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