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## Reforming Education Legislation

### Abstract

For the purposes of my literature review, I chose to research current statutes pertaining to reforming education in the United States. Additional research and consideration on this topic is needed in the wake of severe budget cuts, in attempts to find solutions to prevent further decreases in funding which will likely exacerbate issues such as graduation rates, disparities in classification of minorities to increase funding through special education, and position cuts which increase classroom sizes. Throughout the research process, I analyzed the evolution and effectiveness of education legislation both historically and presently. In particular, I focused my research on the effectiveness of current legislation including President George Bush's No Child Left Behind and President Barack Obama's Race to the Top and American Recovery and Reinvestment Act initiatives. For my action research project, I sent out questionnaires pertaining to the funding received by school districts locally from both the Race to the Top and the American Recovery and Reinvestment Act in attempts to determine whether or not current legislation is effectively improving the situation and condition of our local schools in the wake of severe budget cuts.

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Reforming Education Legislation

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St. John Fisher College

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For the purposes of my literature review, I chose to research current statutes pertaining to reforming education in the United States. Additional research and consideration on this topic is needed in the wake of severe budget cuts, in attempts to find solutions to prevent further decreases in funding which will likely exacerbate issues such as graduation rates, disparities in classification of minorities to increase funding through special education, and position cuts which increase classroom sizes. Throughout the research process, I analyzed the evolution and effectiveness of education legislation both historically and presently. In particular, I focused my research on the effectiveness of current legislation including President George Bush's No Child Left Behind and President Barack Obama's Race to the Top and American Recovery and Reinvestment Act initiatives. For my action research project, I sent out questionnaires pertaining to the funding received by school districts locally from both the Race to the Top and the American Recovery and Reinvestment Act in attempts to determine whether or not current legislation is effectively improving the situation and condition of our local schools in the wake of severe budget cuts.

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## **Reforming Education Legislation**

Currently, the economic recession that's plaguing the United States is also plaguing our schools with forced budget cuts that are greatly interfering with school districts abilities to meet Annual Yearly Progress as required under current education legislation. In attempts to remedy the setbacks created by necessary budget cuts and previous ineffective education reform legislation, President Barack Obama passed both the Race to the Top initiative and the American Recovery and Reinvestment Act. The purpose of this literature review is to analyze the effectiveness of recent legislation to include No Child Left Behind, Race to the Top, and the American Recovery and Reinvestment Act. To find out the effectiveness of this current legislation in decreasing school budget cuts, I sent out questionnaires to twelve local school districts who received funding under Race to the Top, and the American Recovery and Reinvestment Act. Of the twelve districts that received my questionnaire, only one district responded.

### **Review of the Literature**

Since the civil rights movement, advocates and people with special needs have been fighting to increase awareness, equal rights, and for legislation targeted at improving the services and resources available to individuals with special needs. Legislation has been proposed in response to calls from scholars, parents, educators, and individuals with disabilities for a need to increase funding for services targeted at improving the quality of education that students with disabilities are receiving in schools. For the purposes of this literature review, I will be analyzing scholarly research pertaining to the purpose and effectiveness of proposed legislation in Special Education.

In particular, this paper focuses on federal legislation due to the fact that state legislation varies significantly and has its own unique laws regarding education.

### **History of Special Education**

Prior to the civil rights movement, both federal and state courts upheld decisions restricting the rights of students with disabilities. In 1893, the Massachusetts Supreme Judicial Court ruled in *Watson v. City of Cambridge* that children who were “weak in mind” and/or unable to take “ordinary, decent, physical care of himself” could not benefit from instruction and whereas troublesome to the other children (Yell, 1998, p.1). In 1919, the Wisconsin Supreme Court ruled similarly in *Beattie v. Board of Education* that a young man suffering from drooling and facial contortions that resulted in speech delays, and therefore other disabled children within the state, could be excluded from attending public school until the fifth grade. The Supreme Court of the United States decided in 1958 in the case of *Department of Public Welfare v. Haas*, that compulsory attendance laws did not apply to the “feeble minded” and children who are “mentally deficient” (Yell, 2008, p.2). Discriminatory practices in education continued until civil rights became an issue of awareness in the United States.

Legislation regarding equal rights and education was limited prior to the civil rights era due to federal and state separation of power granting control over education to the state. Advocacy agencies such as the Council for Exceptional Children in 1922, the National Association for Retarded Citizens in 1950, and the Association for Persons with Severe Handicaps in 1974, were organized in attempts to change legislation in favor of equal rights for people with disabilities. The civil rights movement began for individuals with special needs in 1965 when Congress added Title VI to the Elementary and

Secondary Act of 1965, under President Johnson's Great Society, thus establishing the Bureau of Education for the Handicapped, commonly known today as the Office of Special Education Programs (OSEP). Despite resistance from Southern congressmen fearing an end to segregation, resistance from Catholic schools who would be excluded, and feared intrusion on behalf of the federal government by conservatives, 1965 marked the beginning of federal intervention on behalf of education. With the government exerting more control over the states, "there seemed to be the promise that the federal role in education would lessen the achievement gap between students of different backgrounds without intruding on those schools that were doing well without federal mandates"(Standerfer, 2006, p.1). In order to fulfill this promise, additional education funding from the federal government became necessary. According to Erik Robelen (1999, p.1), "federal K-12 spending tripled between 1964 and 1966 (p.1)."

Several years later, In 1972, the Supreme Court applied the equal protection argument to education and decided that children with disabilities have equal rights and must have access to education as their peers in the cases of *Pennsylvania Association for Retarded Citizens v. Pennsylvania (PARC)* and *Mills v. D.C. Board of Education*. In *PARC v. Pennsylvania*, the plaintiff argued that students with mental retardation were not receiving publically supported education was guaranteed under the equal protection clause of the fourteenth amendment and that all children with mental retardation could benefit from education and training, that education cannot be limited to learning to clothe and feed oneself, and that states could not deny access to free and public education. This court case resulted in a landmark decision establishing a free public education for all children with mental retardation between the ages of 6 and twenty-one. *Mills vs. the D.C.*

Board of Education came about shortly after because Washington D.C. districts were improperly excluding children from school without due process. Mills and the other participants in the class-action lawsuit were successful however, and the Supreme Court ruled to provide due process procedures for labeling, placement, and exclusion of students with disabilities (Yell, 1998, p. 4-5). Most importantly, both districts and states learned from these cases that the federal government and the courts would enforce these decisions and therefore compliance with federal education laws became necessary to avoid lawsuits.

The following year after *PARC v. Pennsylvania* and *Mills v. D.C. Board of Education*, Section 504 of the Rehabilitation Act of 1973 was passed in attempts to protect individuals who qualify for services from discrimination based on disability. Specifically, Section 504 states that “no otherwise qualified handicapped individual in the United States... shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any activity receiving federal financial assistance (Section 504, 29 U.S.C 794(a)). Section 504 expanded the types of disabilities that could receive assistance and equal protection.

In 1975, the Education for All Handicapped Children Act (EAHCA), commonly known today as the Individuals with Disabilities Education Act (IDEA), mandated that all school districts to educate students with disabilities. Since these major developments in federal legislation regarding educating students with disabilities, amendments have been made and additional legislation proposed in attempts to perfect previous legislation in favor of promoting equality and accessibility of education for individuals with disabilities.

Recent statistics have confirmed that individuals with disabilities are not currently being offered comparable education and services as compared to their peers in a general education setting. According to Cortiella (2009, p.1), “only 15 percent of the nation’s students receiving special education services are educated in states that earn a ‘meets requirement’ rating” on their state report card. The quality of services provided to individuals with disabilities is not increasing although the number of students being classified and qualified for services increases. According to Fine Goldstein (2003, p.1), “a disproportionately higher growth rate of special education enrollment... occurred in the past decade in states with ‘bounty’ systems” and resulted in an increase in special education enrollment from 10.6 to 12.3% between the 91-92 and 00-01 school years. For this reason, school districts struggling financially benefit from additional funding for students labeled with a disability thus increasing the likelihood of students disproportionately and inappropriately being served in special education.

### **No Child Left Behind**

No Child Left Behind (NCLB) is a federal law, signed into law by President George W. Bush on January 8, 2002, mandating programs to increase accountability standards and thus student achievement in the United States. No Child Left Behind proposed stricter teacher qualifications, and required publication of standardized test scores and school report card ratings, in attempts to close the achievement gap.

No Child Left Behind is highly opposed today by all major teachers unions, and many scholars in education. It is commonly argued by scholars in education that NCLB was significantly underfunded. NCLB’s required compliance by the states and failure to comply with the federal mandate resulted in a loss of funding. In addition, NCLB which

focused primarily on the subjects of Math and English forced school districts to make budget cuts in subjects not tested such as Science, History, and Foreign Language and resulted in a denial of enrichment opportunities as field trips and music programs were cut. Lehr (2010) argues that “high-stakes testing and phonics mandates have resulted in a restricted and homogenized curriculum in far too many schools (p.1).” In addition, Lehr criticizes the government for NCLB’s national control of literacy curriculum which is allowing for little or no exploration of other cultures and concepts, especially literature deemed unpatriotic and/or un-American. Conzemius (2010, p.1), similarly argues that teachers and librarians are restricting their book purchases to the Accelerated Reader program list and curriculum related only reading materials, thus limiting the types and diversity of literature available to students. Subjects that are not required and are not tested in state and national standardized exams such as Social Studies, Science, Foreign Language, Music and the Arts are seeing a decline in resources and attention as a result. According to a West Coast study, 50% of teachers spent less than an hour a week teaching social studies (Conzemius, 2010, p.1). When asked about this data, the teachers in the study stated that since social studies was not being tested, they couldn’t afford the time to teach it.

The success of No Child Left Behind legislation is currently being evaluated and changed under new presidential authority based on recent data. Some researchers have found that students who made initial gains under NCLB were 3-4 years below grade level by 6<sup>th</sup> grade. Research also reveals a 30-50% gap in scores from standardized tests administered by the National Assessment of Educational Progress (NAEP) and state assessments which suggests that states have simply lowered their standards (Conzemius,

2010). In addition, states with textbook adoption policies performed worse on NAEP assessments than states without textbook adoption policies under NCLB. Also, experienced and often tenured teachers are being placed on Absent Teacher Reserves where teachers who have been let go due to school closings remain on payroll as substitute teachers, thus costing school districts substantial sums of money to fill these vacancies which are typically filled by younger, cheaper, and more inexperienced professionals.

Locally, in New York State, NCLB has resulted in many schools being labeled as “failing” thus resulting in contracted outside management, turning over governance to the state, or schools being reopened as charter. Specifically, New York City, according to Medina, (2008) “has spent an estimated \$130 million in the past year on their “accountability initiative” in attempts to develop high stakes assessments (p.1). Author Megan Behrent (2009, p.241), a New York City teacher, spent eleven of the first fifty days of school administering tests to her junior English class. Her colleague in a third grade classroom expected her class to take forty-six bubble test assessments, one-fourth the school year, taking standardized tests. Behrent (2009, p. 242) describes New York City’s school transfer program under No Child Left Behind a failure because there are not enough available placements in other schools to meet the demand. According to a study completed by Inside Schools (2008, p.1), “only 3,000 of the 185,000 students eligible to transfer actually did.” In addition, there has been no evidence that those students who transferred under NCLB have made improvements in their new settings. To improve teacher incentives for performance, New York City has implemented a performance pay program assigning bonuses to teachers for improvements tied to high-stakes standardized

tests (Behrent, 2009, p.243). These incentives and bonuses may encourage teachers to stay in the profession but is not likely to improve performance because it implies that teachers aren't working to their potential and will inevitably pit teachers and administrators against one another. Justice Not Just Tests, Teachers for a Just Contract, and other teachers unions organized campaigns to end the practice of closing schools based on standardized test scores and budget cuts.

In 2003, following the passage of NCLB, Democrats introduced an amendment to guarantee an increase in spending in Special Education until eventually reaching full funding. Full funding would require 40% of the national average per-student cost for all students (Goldstein, 2003, p.1). The move towards full funding failed, and funding for the 2002-2003 school year was about 18 percent. Spending was however increased to 21% by 2004.

### **Race to the Top**

President Obama implemented the Race to the Top initiative using funds from the \$91 billion of 2009 stimulus funds. This program consists of two rounds of grant applications for funding with payouts in both April 2010, and September 2010 using five criteria. The first criteria was designing and implementing rigorous standards and high quality assessments. This criteria, pushed for a common national curriculum and national standardized tests. The question has not been answered yet however where the funds will come from to develop these tests and curriculum. The second criterion called for attracting and keeping great teachers and leaders in American classrooms rewarding teachers for effectiveness. Third, Obama called for supporting data systems that inform decision making and improves institutions. Forth, Obama pushed for using innovation

and effective approaches to turn around struggling schools. The greatest criticism of this criterion was the threat of withholding funding for schools who failed to meet the standard. Finally, Obama wanted schools to demonstrate and sustain education reform. To do this, Obama urged states to develop charter schools which will also create funding difficulties to school districts losing pupils and the funding associated.

In order to receive race to the top funds, schools were evaluated on six selection criteria set by the Department of Education. The first selection criteria, state success factors, included articulating State's education reform agenda and (Local Educational Agencies) LEA's participation, building strong statewide plans, and demonstrating progress and achievement. The second selection criteria, standards and assessments focused on developing and adopting common standards, high quality assessments, and the necessary supporting transitions. The third criterion, data systems to support instruction, evaluated the implementation of a statewide longitudinal data system, access and use of State data, and use of data to improve instruction. Fourth, great teachers and leaders analyzed opportunities that were available to aspiring teachers and administrators, teacher and principal effectiveness and improvement, equitable distribution of effective teachers and principals, improved effectiveness of teacher and administrator preparation programs, and effective support to teachers and principals. Fifth, turning around lowest achieving schools, was evaluated by interventions in low-achieving schools and LEAs. Finally, general selection criteria which included prioritizing educational funding, success in charter and other alternative schools, and demonstration of reform condition. Effects of President Obama's Race to the Top initiative are too soon to tell however, reform in response to Race to the Top (RttT) was made evident within the United States.

Rhode Island stopped all seniority-based teacher assignments, Illinois, Louisiana, and Tennessee lifted charter school caps, and California and Wisconsin ended prohibitions on linking student performance to teachers (Smarick, 2010, p.3).

Consistency in implementing Race to the Top initiatives varied state by state. According to Education Next (2010), Tennessee (grade of F) and Delaware (grade of C-), two states with the lowest standards in their state curriculums, were awarded Race to the Top funding. Very few states have increased their report card ratings whose data comes from “the difference between the percentage of students who were proficient on the NAEP and the percentage reported to be proficient on the state’s own tests for the same year (p.1).” After a standard deviation was computed from the difference in previous observations. States whose assessments match more closely with NAEP’s standardized tests, reported higher standard grades (Peterson and Lastra-Anadon, 2010, p.1). Also according to this data, state standards had risen in reading and are declining in math. According to Education next authors (2010), between 2003 and 2009, twenty-seven states earned a C, eight states earned a D, and three earned an F. The state’s that improved their standards substantially include Colorado whose standards raised from a D to a B-, Washington from C+ to an A, Montana from C- to B, North Carolina from a D- to a C, Utah from a D+ to a C+, West Virginia from D- to a C, Oklahoma from an F to a C, and Mississippi from a D- to a C. States whose report card ratings decreased significantly include Wyoming from an A to a C, California from a B to a C, South Carolina from an A to a C-, Maryland from a C+ to a D+, Arizona from a B- to a D+, and Arizona from a B- to a D+. The remaining states increased or decreased their scores marginally. In all states, student scores on NAEP assessments whose “proficiency standard is roughly

equivalent to the international standard established by those industrialized nations that are members of the Organization for Economic Co-operation and Development (OECD)” were lower than their state assessment scores thus showing that state assessments are less rigorous than NAEP’s (Peterson and Lastra-Anadon, 2010). According to Smarick (2010), “huge state budget deficits, local resistance to federal education guidance, and interest group focus on jobs- could similarly influence the Race to the Top, compromising its ultimate impact (p.1).”

Critics of President Obama’s Race to the Top plan argued that President Obama’s plan for education reform was unclear and his choice for Secretary of Education, poorly considered. Arne Duncan had publically been a proponent of mayoral control, charter schools, and performance pay initiatives to encourage teachers to teach to the test (Behrent, 2009, p.245). Critics further argued that President Obama’s practices in Chicago closing schools failing to meet annual yearly progress, and firing teachers and staff and forcing them to reapply for their jobs had teachers unions and teachers across the nation reluctant, too closely resembles the failures of No Child Left Behind.

### **The American Recovery and Reinvestment Act**

In February 2009, the U.S. Congress passed the American Recovery and Reinvestment Act (ARRA), also known as the economic stimulus bill, and included an additional \$115 billion in new funding towards education. The purpose of this funding was to soften the blow felt in schools by many cuts in funding resulting from our nation’s current period of economic downturn. At one time, appropriation from the ARRA consisted of \$12.2 under IDEA, resulted in \$11.4 billion for IDEA grants to states for school-aged children, \$400 million for IDEA’s Preschool Program, and \$500 million for

IDEA's Infants and Toddlers with Disabilities Program. According to Cortiella (2009, p.1), the purpose of these ARRA funds as followed under IDEA, was to provide state-of-the-art assistive technology devices and training on such devices, to provide professional development for both general and special education teachers on evidence based strategies and behavior supports, data collection and analysis to improve learning, expand the availability of inclusive placement through public and private preschool programs, and to hire transition coordinators for job placements for students with disabilities, in attempts to enhance access to general curriculum for students with disabilities and to improve education outcomes for students with disabilities.

Data reporting expenditures from the recent economic stimulus indicated that many districts have yet to spend all the additional funds provided under the new IDEA laws that have been mandated to be spent by September 30, 2011. Districts have spent roughly 44 percent of IDEA Part B stimulus funds (Arundel, 2010, p.1). According to the Center of Education Policy spring 2010 survey of ARRA spending by district, "57 percent of districts say they are using a portion of their IDEA stimulus dollars to save or create jobs, 52 percent will use money for assistive technology, and 56 percent will put money toward professional development." Also according to this survey, 70 percent of districts said they would use all their IDEA stimulus funds by the end of the 2010-2011 school year, 19 percent would use the funds by the end of 2009-2010, and 12 percent plan to use the remaining funds in the 2011-2012 school year.

Scholars from Baylor University (2010, p.1), indicated only a two percent overall increase in funding for the projected 2011 fiscal year, primarily in the area of grants to states under part (B-611) from \$11,505,211,000 to \$11,755,211,000, while the ARRA

allocation amounts for \$11,300,000,000. Special Olympics education programs increased by 23.5% in 2011 from \$8,095,000 to \$10,000,000, with no funds allocated from the ARRA allocation. The data also indicated that while funding increased for grants to states from 2010-2011, funding for preschool grants, grants for infants and families, state personnel development, technical assistance and dissemination, personnel preparation, and parent information centers saw no increase in funding for the projected 2011 year. Technology and media services anticipated a cut for the 2011 school year from \$43,973,000 in 2010 to \$41,223,000 and no allocation of funds from ARRA.

Recent funding legislation has led to additional increases in funding bringing the federal funding to 17 percent, a far cry from the 40 percent originally envisioned by congress and special education leaders. The Senate Appropriations Committee voted however to include \$20 million additional IDEA Part C funds. The Council for Exceptional Children had proposed spending \$13,844,792,000 for Part B, a \$2.3 billion rather than an increase of \$250 million as originally proposed by President Obama (Sherman, 2010, p.1). While congress increased funding within special education, both the Senate committee, and the House subcommittee voted to get rid of the \$7.5 million Jacob K. Javits Gifted and Talented Students Education Program.

Nationwide, school districts are being pressured to make their standards align with national and global standards without the necessary resources. While districts spend available funding towards keeping teaching jobs, school districts are forced to make cuts in their programs and services. According to Smarick (2010, p.3), many states have cut district aid, and many districts have cut bus service, groundskeeper services, parent liaisons, spending on bilingual and early-childhood programs, summer school, school

days, and some have forced their staff to remove personal microwaves and fridges from their classrooms to reduce costs.

Critics of current legislation argued that a failure to increase funding for both special education and general education will increase the burden on teachers already struggling to provide a good education. In addition, critics argued that additional cuts in education results in students without IEP's from getting what they need thus resulting in a referral discussion for services and increasing the demands on special education.

According to the Special Education Report (2010), finances are at the top of list of post-stimulus funding concerns and districts will struggle adjusting to pre-ARRA budgets and schools will “struggle to report how they spent ARRA funds and how it led to school wide improvements.” The remaining top ten concerns discussed in the Special Education Report (2010) included assessments and accountability (4), response to intervention (5), Autism (6), professional development and staff shortages (7), data compliance (8), transition to adult services (9), and technology and improvement (10) depended entirely on the funds available for improvement and reform.

Recent data from the American Association of School Administrators survey reported that ARRA funds are being used to fill gaps in budgets, more specifically 96% of ARRA funds are being used towards protecting jobs and educational programs rather than educational reform, as supported by a gain in 11,000 jobs compared to the nearly 190,000 lost in other occupations (Smarick, 2010, p.1). In addition, Smarick (2010, p.1) explains that ARRA funds were being used towards funding teacher positions because of pressure from unions such as the California Teachers Association who organized “Pink Friday,” a local Michigan union that sued because of layoffs, and the Utah Education

Association that ran T.V. commercials urging lawmakers to spend ARRA funds to keep teachers. Fortunately for these teachers, the ARRA required states to first fill budget gaps thus limiting any potential to use the substantial funds available towards new projects and education reform.

Critics of ARRA funding distribution disagreed according to Smarick (2010, p.4) with ARRA funding decisions including that governors and state superintendents were prohibited from directing how portions of these funds were distributed, districts were not required in advance to show details of how the money would be spent, governors signed commitment forms that were impossible to enforce, and finally states received their second allotments without accounting for their first or producing results.

It is evident that legislation in the United States has shifted in priority from equality to accountability. Making school districts comply to programs in exchange for federal funding requires additional funding and resources to ensure success and proper implementation. In order for the United States to improve its educational standards to meet the expectations of (National Assessment of Educational Progress) NAEP and (Organization for Economic Development) OECD in attempts to rise U.S. national standards to those found by our global competition, reform in education through changes in funding at both the state and federal level are necessary. Whether or not President Obama's Race to the Top program will be successful or not depends on a number of factors including cooperation with Congress, the planning and organization of the program, and the ability to enforce compliance and proper implementation of the plan that is in place. One thing that is certain from my research is that President Obama's plan lacks clarity and details. Until the details of President Obama's plans are made clear, and

the schools made accountable for showing both where the money was spent and the results of this spending, the likelihood of this program success is about as likely of the success of No Child left behind.

### **Methodology**

When considering a topic for both my literature review and action research project, I considered two questions. What current issues in education are in desperate need of answers? Which of these topics has enough information and resources available out there to assist me throughout the research project? Inevitably I chose to research legislation and its effect on school funding because I both love to study law and my mother just happened to retire from a local school district as a Senior budget analyst and happened to have a great deal of contacts to share with me.

When considering how to get my data from each of the different school districts, I first considered doing a survey. However, after I began creating my survey, I realized that the data I needed was specific and needed specific numbers and information than a standard survey could offer. Because the information I am looking for is so specific, I decided instead to interview district budget personnel. First, I did a general search of school districts in the Rochester area and made a list. Second, I went to each districts website to find the appropriate staff member in budget and their contact information. Once I compiled a list of emails, I first sent out a generic email asking for volunteers to participate in a short interview. In the email, I provided a general set of questions to consider prior to the interview and to give the participants an idea of what the interview would be about. I then waited roughly two weeks for a response. When I didn't get a response, I went to my mother and asked her how I could get other personnel in her field

to participate. She encouraged me to spend some money and to buy some giftcards for participants. My mother also informed me, that I picked the worst time of the year “budget crunch time” to get this data and that district personnel are likely too busy to respond to me. Of the twelve participants I presented the interview proposal to with the incentive of a \$25 dollar gift card to the place of their choice, only one school responded and set up an over the phone interview. If another student were to consider doing research on this topic, I would highly recommend pursuing it in the fall or winter, rather than the spring.

### **Setting**

The school district that participated in the interview, is a very large (9<sup>th</sup> largest district in the state) suburban district located right outside the city of Rochester. This district in particular is responsible for the operation of three high schools, three middle schools, one 6-12 school, and thirteen elementary schools. The total enrollment of this district Pre K- grade 12 totals 11,877 students according to their 2010-2011 school report card.

### **Participants**

There was only one participant willing to volunteer time for my action research paper. For the purpose of confidentiality, all participant information will refer to the school district rather than specific individuals. I worked with the Senior budget analyst of the school district after she graciously responded to my email inquiring about volunteers in budgeting. Due to time constraints and the busy nature of the budget season in the spring, the woman I had the pleasure of working with requested that we be able to do our interview over the phone during the evening after work. I attempted to interview this

particular individual volunteer in addition to all the other budget analysts from surrounding districts to potentially participate in my action research. The demographics of the district represented in my case study consist of American Indian or Alaskan Native (0%), Black or African American (12%), Hispanic or Latino (8%), Asian or Native Hawaiian or Pacific Islander (2%), and White (77%). The limited English proficient population totaled two percent. In terms of Socio-economic status, 26% of the student population is eligible for free lunch and 12% were eligible for reduced lunch. This district received Title 1 Part A funding for the 2010-2011 school year. This district met AYP in every area except in the categories of students with disabilities in ELA or Math and they failed to make AYP for their graduation rates of students with disabilities and Black or African American students. They also failed to make AYP for accountability standards due to their testing rates of students with disabilities. Of the total 20 total schools however in this district, only one, is not currently in good standing according to their school report card.

### **Procedures**

Initially when I began my research for this project, I intended to do multiple interviews and to compare the data and the success of the legislation locally based on the number of budget cuts that were prevented by funding from Race to the Top and the American Recovery and Reinvestment Act. Of the twelve districts sought after however, only one participated. Therefore for the purposes of this project I completed a case study based on an interview conducted over the phone. When I called her to begin the interview, I first introduced myself formally and explained the purpose of my project and that I am conducting the interview as part of my completion of the graduate program at

St. John Fisher College. The first question I asked was whether or not I could tape record our conversation for the purposes of later transcribing the interview and she agreed. She agreed to do the interview as long as it didn't take more than a half hour. With this in mind, I generated seven questions that I considered essential to understanding the effect of recent legislation on their district.

### **Findings/ Results**

Before we began the interview, I first asked her some general questions and we engaged in small talk about the district as a whole to confirm the information I received from their school report card website. After we became comfortable talking with one another, I began the interview. Of the total number of participants selected, only 8 percent participated in an interview.

**Question 1- Prior to receiving additional government funding for the 2010-2011 school year, in what area(s) was funding cut from your districts previous year's budget?**

Response- "The greatest cuts were in instruction particularly general education classroom teachers, art teachers, music teachers, librarians, music programs/funding, literary coaches, math intervention specialists, speech and special subject areas all experienced cuts. In addition, two cabinet level positions were cut in addition to other maintenance and other non-instructional support staff."

**Question 2- How much funding was your school eligible to receive from the American Recovery and Reinvestment Act?**

Response- “Under the Education Stabilization Fund, \_\_\_\_\_ Central School District was awarded \$4,497,068 for the 2010-2011 school year.”

**Question 3- How were the American Recovery and Reinvestment Act funds spent during the 2009-2010 and 2010-2011 school years? Were any of the remaining funds budgeted to be used during the 2011-2012 school year?**

Response- “These funds allowed the district to maintain electives at the secondary schools as well as to maintain the supplemental literacy and math programs at the elementary level. In addition, building- level administration and standards based coordinators were preserved. There are no ARRA funds for the 2011-2012 school year.”

**Question 4- Has a report detailing your districts expenditures from the American Recovery and Reinvestment Act been compiled and sent to the federal government for the purpose of reporting the use of funding?**

Response- “The reports are filed on the NYSED application business portal. These are done on a quarterly basis and at the end of the fiscal year.”

**Question 5- During the 2009-2010, and 2010-2011 school years, how many school employee positions were cut and in what capacity? During these same school terms, how many positions became available and in what capacity?**

Response- “In 2009-2010, there was a net reduction of 44 positions in the voter approved budget. In 2010-2011, a decrease of 77.3 positions plus an additional 8.5 at the adoption of the contingency budget. The range in positions reflects staffing from all areas; including teaching, administrative, support staff and other non-instructional positions.”

**Question 6-**

**Was your school awarded funds from Race to the Top after New York State became eligible?**

Response- “Yes, \_\_\_\_\_ Central School District was awarded these funds. We received \$522,651.”

**Question 7- If yes, how has your school utilized Race to the Top funds?**

Response- “Our work will focus on the development of ELA and math curriculum and resources that will address the common core standards. There will be additional focus on meeting the instructional needs of struggling student groups.”

**Discussion**

My research both supports and condemns the current use of funding in local school districts who accepted either Race to the Top, or American Recovery and Reinvestment funding. My research study/ topic choice created a great deal of limitations for me. The greatest limitation I experienced throughout this project was the cooperation of local school districts in providing budget data. Further inquiry into the matter revealed that it was the timeframe of my research that created my greatest set backs. The spring is “budget crunch time” and budget personnel are frantically working overtime to create a budget for the following school year that will be accepted by the local taxpayers. For this reason, most school district budget personnel weren’t interested in participating in my research study. If I could have done anything different, I would have conducted my research in the fall, when budget personnel have more free time and may be more willing to participate in my research study. The actual results of my research questions, I believe were very successful. Looking back however, I would have added one more question to

include, how much money was specifically used to improve curriculum/ testing, teacher recruitment, improving data systems, innovative developments in education, and towards education reform.

One difficulty I had in pursuing this topic was that new literature on my topic became available daily. This literature however was rarely available in print immediately and required that I wait for an interlibrary loan request, or I had to pay for the information to get it immediately. The wealth of information out there on current education legislation and reform is overwhelming and changes and criticisms of information become available daily. For this reason, choosing what literature to pursue was a great challenge for me. If I could have done anything differently, I would have chosen a topic whose literature was more readily available. If I had more time and the ability to afford the wealth of resources out there, I would look more closely at the effectiveness of reform based on socioeconomic status. I would be interested to see if districts whose tax base was stronger received more or less funding than those schools with a weaker tax paying population. Also, I would be interested to compare the number of cuts made in districts of both strong and weak tax collection capability.

In conclusion, I believe that the district that participated in my research both succeeded and failed in their attempts to properly use the funding provided to them through Race to the Top, and the American Recovery and Reinvestment Act. The school district succeeded in using Race to the Top funds to improve their English Language Arts and Math curriculum. The degree, of which this funding will improve standardized test scores, will not be evident until report card data becomes available. The school district failed to address the areas of teacher recruitment/ teacher reward incentives, the

improvement of data systems, and the development of innovative strategies and/or education reform in the use of their Face to the Top funds. The school district that participated in my research was successful in using their allotted American Recovery and Reinvestment Act funds because they were able to prevent the layoff of many general education, music, speech and art teachers, in addition to librarians, literary coaches, math intervention specialists, and teaching assistant positions. Many other building support staff including maintenance and other non-instructional staff were able to keep their jobs as well by this funding. The use of funding was however also a failure because despite the jobs that were preserved, 44 teacher positions were cut in 2009-2010, and an additional 68.8 positions were cut during 2010-2011 based on the voter approved budget. In addition, there is no evidence that funding was used towards assistive technology, professional development, the improvement of data collection, and/or an increase in access to general education for students with disabilities through the hiring of transition coordinators. Their failure to improve access to general education for students with disabilities and the lack of hiring of transition coordinators certainly is shocking considering that they failed to make AYP in their 2009-2010 school report card based on the performance of their special education student populations performance in both English Language Arts and Math.

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