

April 5, 2002

Marcia Kingman
Office of Elementary & Secondary Education
U.S. Department of Education
400 Maryland Avenue, S.W., Room 3E213
Washington, DC 20202

Dear Ms. Kingman:

On behalf of the Software & Information Industry Association (SIIA), I write to submit our response to the Federal Register notice of March 6 soliciting comments on the implementation of state consolidated applications provisions in the No Child Left Behind Act (NCLBA). The NCLBA's enhanced assessment, accountability and school improvement provisions provide an ambitious and unprecedented step toward the goal of ensuring all students meet high achievement standards. SIIA looks forward with our member companies to working with the U.S. Department of Education and other stakeholders to implement the new law.

SIIA is the principal trade association of the software code and digital content industries, representing more than 800 leading high-tech companies that develop and market software and electronic information for business, education, consumers and the Internet. SIIA member companies provide education software tools and digital curriculum, and depend on the nation's schools for a skilled high-tech workforce.

SIIA and its member companies believe technology is critical to meeting the nation's education goals as well as the goals and requirements of the No Child Left Behind Act. Continued federal leadership is essential to the nation's progress in effectively integrating technology into instructional and management practices. We are pleased with the NCLBA's recognition and support of technology both in the Title II, Part D technology grant and technology's integration throughout other core programs to support hardware, software, electronic curricular materials, online professional development and other technology solutions that meet that program's goals.

Based on our policy experience helping to develop the legislation and our practical experience working with stakeholders to implement education technology solutions, we take this opportunity to comment on state consolidated applications. We provide these views with the goal of ensuring NCLBA implementation meets the law's intent to support the effective use of technology in addressing the law's goals and requirements.

State officials and local educators have long looked to technology to help meet education goals and requirements. Technology will be increasingly important to meet overarching NCLBA assessment, accountability and data-driven decision making provisions. With technology so key to NCLBA implementation, it is critical that state and local educational agencies consider and implement technology in an integrated and holistic manner.

Consolidated applications are an effective tool to help grantees focus on integrated educational approaches, including technology approaches that leverage all hardware, software and Internet-

based resources toward enhancing instructional and information management. Such a review through the consolidated application process will encourage grant recipients to be more thoughtful -- and thus more efficient and effective -- in their use of technology.

To best support these goals, we urge the Department to ensure consolidated state applications address the following four NCLBA principles, including how the state will:

1. Maintain the priority of, and targeting of funds to, technology as intended through Title II, Part D. Consolidated applications should not be viewed as a means (separate from other NCLBA flexibility provisions) to divert technology grant resources to other purposes at either the state or local level.
2. Use Title II, Part D to help both build an educational technology foundation and enhance various teaching and learning goals such as instruction, parental involvement, professional development, assessment and data management.
3. Implement and track the Title II, Part D goals and state plan requirements for improving technology access and literacy of both students and teachers.
4. Support, as appropriate, the use of funds from other programs such as Title I and Title II, Part A for the acquisition and integration of technology strategies that meet the program's goals, including how such resources will be coordinated with Title II, Part D investments.

More specifically, we urge the Department to ensure consolidated state applications include the following elements either directly (as part of the description for the use of technology) or indirectly (as part of the description for meeting other goals through the use of technology):

1. A new or updated statewide long-range strategic educational technology plan as required in Section 2413(a).
2. Assurances that protect the NCLBA Title II, Part D technology priority and targeted funding, including a plan to ensure each of the following:
 - (a) Part D funds will supplement, not supplant, state and local funds;
 - (b) Part D, Section 2412(a)(2)(B) competitive grants are of sufficient size, scope and quality;
 - (c) NCLBA flexibility provisions -- including Title VI, Part A Transferability, Title VI, Part A State and Local Flexibility Demonstration, and Title VII Rural Flexibility -- are not used by the state or LEAs to reprogram Part D competitive technology grants (although the coordination of competitive grant resources should be encouraged); and
 - (d) Part D competitive grants are not awarded to districts that violate the law's implied intent by applying for supplemental technology grants while conversely employing NCLBA flexibility provisions to transfer some or all of their Part D, Section 2412(a)(2)(A) formula grants away from technology.
3. An outline of the strategies and state activities for increasing and tracking student achievement, including in meeting standards for technology literacy, through the use of technology such as the improved integration of technology into the curricula and instruction as well as through distance education.
4. A description of the comprehensive strategy and state activities used to improve and track the capacity of teachers and principals to effectively integrate technology into their curricula and instruction.

5. A description of the comprehensive, innovative strategy and state activities used to deliver intensive pre-service and in-service teacher training that is both cost-effective and easily accessible, such as through the use of technology, peer networks and distance learning.
6. A description of the long-term strategies and state activities to ensure all students and teachers have increased access to technology, as well as to track that access.

We would also urge that these general principles and, as appropriate, specific recommendations be carried through to other NCLBA provisions including local consolidated plans, Title I schoolwide programs, and other state and local flexibility and transferability plans and implementations.

Thank you again for considering SIIA's comments regarding the implementation of the No Child Left Behind Act and consolidated application provisions. SIIA and our member companies look forward to working with you on these and related issues to ensure the new law meets its promise of increased student achievement and technology literacy, including through the integration of effective technology solutions. If we can be of further assistance, please contact me or Mark Schneiderman, SIIA's Director of Education Policy, at (202) 789-4444 or marks@siia.net.

Sincerely,
{ EMBED Word.Picture.8 }
Ken Wasch
President