

September 25, 2009

Submitted at: <http://www.regulations.gov>

The Honorable Arne Duncan
Attention: School Improvement Grants
U.S. Department of Education,
400 Maryland Avenue, SW., Room 3W329
Washington, DC 20202

RE: Docket ID ED-2009-OESE-0010

Dear Secretary Duncan:

On behalf of the Software & Information Industry Association (SIIA) and our more than 500 high-tech companies, I write in response to the U.S. Department of Education's notice of proposed requirements for School Improvement Grants authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended (Docket ID ED-2009-OESE-0010). SIIA appreciates this opportunity to comment on this important program.

SIIA is the principal trade group of the software and digital content industry, representing more than 500 high-tech companies. All SIIA member companies look to the nation's schools to provide a skilled high-tech workforce, while many SIIA members partner with schools to provide educational software, digital curriculum, online education services and related technologies. SIIA views technology as both a critical engine of school innovation and improvement, and necessary to meet the Recovery Act's four assurances as well as other educational goals and requirements.

SIIA encourages the U.S. Department of Education to further prioritize transformational innovation in education through the reengineering of education delivery models. SIIA proposes that federal School Improvement funds be leveraged to further incentivize a shift from a seat-time, assembly-line education model to a more flexible, student-centered model built around individual learning needs and pace, anytime-anywhere learning, and differentiated instruction. SIIA also recommends more explicit attention to the critical role of technology and e-learning as necessary to bring innovation to teaching and learning, personalize learning and differentiate instruction, and create an education system needed for our students to compete in this digital age and global knowledge economy.

Please see below a number of specific recommendations building on these points:

1. SEA Priorities in Awarding School Improvement Grants, I.A. Defining Key Terms
 - Increased Instructional Time. The proposed definition of the Turnaround and Transformation models include the requirement for increasing instructional time. SIIA recommends modifying this requirement to allow for the restructuring of existing instructional time.

First, student instruction can be enhanced through the more efficient use of existing instructional time through the use of software, online tutoring, and other methods. In a traditional direct instruction setting, instruction cannot be easily differentiated, and so an individual student may find that much of the instruction does not meet their learning needs. These alternative methods can make for more efficient and productive use of the time, and may be more cost effective to extending the number of hours. (See single underline.)

Second, student instruction can be enhanced through the restructuring of existing instructional time periods, often referred to as block scheduling. In many cases, a traditional class period is not long enough to provide the time on task, intensity, etc. needed to maximize the instructional and learning time. For example, many SIIA members provide instructional software that is optimized through daily larger time blocks, allowing sufficient time needed for both teacher instruction and software use by all students. (See double underline.)

SIIA recommends amending I.A.2.a.(vii) to read: *“(vii) Establishing schedules and strategies that increase instructional time, make more efficient use of existing instructional time through technologies and other means for differentiating instruction, or extend the daily time block students spend within a core academic subject where intervention is needed for students and time for collaboration and professional development for staff.”*

SIIA recommends amending I.A.2.d.(iii)(A)(1) to read: *“(1) Provide more time for students to learn core academic content by expanding the school day, the school week, or the school year, by making more efficient use of existing instructional time through technologies and other means for differentiating instruction, by extending the daily time block students spend within a core academic subject where intervention is needed, or increasing instructional time for core academic subjects during the school day.”*

- Instructional Improvement System. The Department’s proposed Race to the Top (RttT) priorities included the use of an Instructional Improvement System for school improvement. SIIA strongly encourages that use of an Instructional Improvement System be required for both the Turnaround and Transformation models, with several modifications as recommended by SIIA in our RttT comments.

SIIA recommends including the following requirement and definition under the definition of both the Turnaround (I.A.2.a.) and Transformation (I.A.2.d.) models:

“Implementing an Instructional Improvement System, defined as technology-based and other tools that provide teachers, principals, and administrators with meaningful support for a cycle of continuous instructional improvement, including activities such as: instructional planning; gathering information (e.g., through formative assessments, interim assessments, and looking at student work and other student data); analyzing information with the support of rapid-time reporting; using this information to differentiate instruction and inform decisions on appropriate next steps; and evaluating the effectiveness of the actions taken.”

- Innovative School Improvement Models. SIIA recommends further encouraging innovative models as an option for turning around struggling schools. The goal is to support a shift from a seat-time, assembly-line education model to a more flexible, student-centered model built around individual learning needs and pace, anytime-anywhere learning, and differentiated instruction.

SIIA recommends including the following requirement under the definition of both the Turnaround (I.A.2.a.) and Transformation (I.A.2.d.) models:

“Implementing innovative policies and practices to reengineer education delivery models, structures and formats, including through the use of technology and e-learning, to provide a more flexible, student-centered model built around each student’s unique personalized learning needs and pace, anytime-anywhere learning, and differentiated instruction.”

- Ranking of Interventions. In the proposed Race to the Top priorities, the U.S. Department of Education relegated the School Transformation Model as a fourth alternative to be undertaken only “*to the extent that these [other three] strategies are not possible.*” While this notice does not appear to include such a proposed requirement, SIIA does take this opportunity to repeat its concern that School Improvement should not include such a ranking or limitation of which intervention model an LEA or school may implement.
- Other Turnaround Requirements. SIIA is concerned that the distinctions between the Turnaround and Transformation model, other than the requirement to replace at least 50% of the staff, are somewhat arbitrary, such that the Turnaround Model does not include many elements important to school improvement as described in the Transformation Model.

SIIA recommends adding at least the following requirements also to the Turnaround model definition (I.A.2.a.):

“Give the school sufficient operating flexibility (including in staffing, calendars/time, and budgeting) to implement fully a comprehensive approach to substantially improve student achievement outcomes;”

and

“Implementing a schoolwide ‘response-to-intervention’ model”

- Revised Instructional Program. SIIA recommends making clear that a “revised instructional program” required under the proposed definition of a Turnaround model does not mean only a single instructional program or material, as such a limit could be a barrier to the explicit goal of differentiated instruction (see single underline). SIIA also recommends the consideration of the use of technology and digital content to differentiate instruction (see double underline).

SIIA recommends amending I.A.2.a.3. to read “(iii) Implementing a new or revised instructional program of one or more locally determined and coordinated interventions and resources, including through the use of technology, software and digital content as appropriate to differentiate instruction.”

2. SEA Priorities in Awarding School Improvement Grants, I.B. Providing Flexibility

SIIA generally supports the flexibility in Proposed Requirement I.B., including especially that proposed in I.B.1 and I.B.3.

In the case of I.B.1, SIIA supports allowing an LEA and school to continue or complete an intervention implemented in whole or in part within the last two years. This will enable continuity of reform, ensure there is no penalty for those already down the path of reform, and largely avoid the unintended consequence of forcing a school or LEA to choose an alternative (and possibly inferior) intervention simply to qualify for federal funding.

In the case of I.B.3, SIIA supports allowing SEAs to seek a waiver to enable a Tier I school to operate a schoolwide program in order to implement an intervention under Section I.A.2.a, 2.b, or 2.d of these proposed requirements. Many interventions are only, or most effectively, implemented schoolwide, and so a schoolwide model is often the best means for meeting the needs of students in a targeted assistance program.

3. Awarding School Improvement Grants to LEAs, II.A. LEA Applications

SIIA recommends modifying or eliminating the proposed requirement II.A.2 that an LEA with nine or more Tier I and Tier II schools may not implement the same intervention in more than 50 percent of those schools. This distinction appears somewhat arbitrary, and could have the unintended consequence of forcing an intervention that does not best meet the given needs. In addition, districts are often challenged by the difficulty of managing multiple instructional, curriculum, professional development and other programs. Multiple interventions would likely result in the use of more such programs, and so enabling a single intervention may help simplify the implementation, technical assistance, professional development and other district management and support needed for the programs needed to enact that intervention. Many interventions and programs may be most effectively implemented at scale.

We appreciate the opportunity to comment on this important initiative. Please do not hesitate to contact me with any questions at marks@siia.net or 202-789-4444.

Sincerely,



Mark Schneiderman
Senior Director, Education Policy