

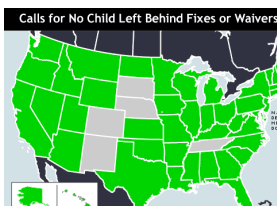


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Tracking State Actions to Fix & Fund NCLB

Discontent in states with No Child Left Behind's (NCLB) unfunded mandates and inflexible requirements has grown enormously over the past three years. Communities for Quality Education (CQE) has identified efforts in all 50 states to address NCLB's flaws. In response to this growing rebellion, CQE created a website designed to provide an online repository of actions in the states to fix NCLB.

Following are the various actions in states to fix NCLB:



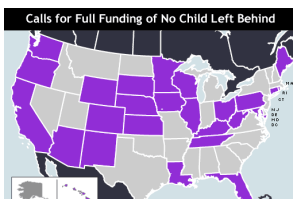
Fixes or Waivers (44 states)

Numerous state legislatures have drafted resolutions calling on Congress to fix the shortcomings of NCLB and/or allow flexibility in meeting the law's requirements. In addition, many states have requested waivers from federal requirements associated with the law.

States Taking Action: *Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming*

Key Examples of States Seeking Fixes to NCLB's Regulations:

- A bi-partisan group of Virginia state legislators sent a letter to Secretary Spellings asking for greater flexibility under NCLB to protect the state's already successful reforms under Virginia's Standards of Learning program. [Washington Post, 08/04/2005]
- Sixteen states requested and received permission to change their NCLB accountability plans. Florida, Georgia and Minnesota were allowed to increase the minimum number of students who must be in a subgroup before the state is held accountable for that subgroup's performance. [Edweek, 07/13/2005]



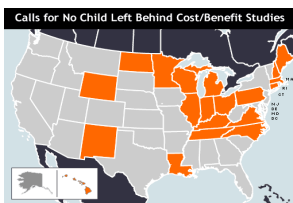
Full Funding Resolutions (26 states)

With the No Child Left Behind law under-funded by \$27 billion since its passage, many states have drafted resolutions to call for full funding from the U.S. Congress.

States Taking Action: *Arizona, California, Colorado, Connecticut, Florida, Hawaii, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Minnesota, Nebraska, New Mexico, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, West Virginia, Wisconsin, Wyoming*

Key Examples of States Calling for Full Funding of NCLB:

- In May 2005, the Illinois Senate adopted SJR47 which calls on the President and Congress to fully fund the requirements of NCLB. [Illinois Legislature website, 05/24/2005]
- In March 2005, the Oregon House of Representatives introduced HB2900 which calls on the federal government to provide full funding for NCLB and further prohibits state and local education agencies from participating in NCLB if full funding is not provided. [Oregon Legislature website, 03/15/2005]



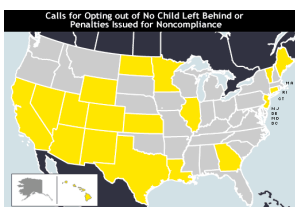
Cost/Participation and AYP Studies (20 states)

As costs associated with implementing the federal No Child Left Behind law continue to escalate, many states have initiated studies to analyze the cost of participating in the federal law and the potential costs of withdrawing from the law.

States Taking Action: *Connecticut, Hawaii, Illinois, Indiana, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Pennsylvania, Tennessee, Virginia, Wisconsin, Wyoming*

Key Example of State Conducting NCLB Related Studies:

- A study of both compliance and proficiency costs conducted at the request of the Ohio Department of Education found that implementation of NCLB in Ohio will be under-funded by \$1.4 billion annually by 2010. [Ohio Department of Education website, 01/2004]



Opting Out/Fines (19 states)

The lack of funding for NCLB combined with heavy federal intrusion into education decision making is frustrating state legislatures across the country. The result is that many states are considering opting out of No Child Left Behind participation. In addition, Georgia and Texas have been fined by the federal government for refusing to comply with NCLB regulations.

States Taking Action: *Arizona, California, Colorado, Connecticut, Georgia, Hawaii, Illinois, Kansas, Louisiana, Maine, Minnesota, Nevada, New Jersey, New Mexico, North Dakota, Texas, Utah, Vermont, Wyoming*

Key Examples of States Taking Action to Opt Out of NCLB:

- Utah Governor Jon Huntsman Jr. signed into law a bill which prioritizes Utah's education system over NCLB's regulations. [Salt Lake Tribune, 05/11/2005]
- Minnesota was fined \$113,000 and Texas \$444,282 by the federal government for refusing to comply with NCLB regulations. [San Antonio Express News, 04/25/2005]



Legal Action (11 states)

Local school districts in 10 states have either filed or are actively considering lawsuits based on NCLB's unfunded mandates or to contest specific provisions within the law.

States Taking Action: *California, Connecticut, Delaware, Illinois, Michigan, New Jersey, Ohio, Pennsylvania, Texas, Vermont, Wyoming*

Key Example of States Taking Legal Action Against NCLB:

- Connecticut's Attorney General Richard Blumenthal filed suit against the federal government, arguing that NCLB is illegal because it requires programs and testing that the federal government has failed to fully fund. Maine's legislature has given its Attorney General permission to file a similar lawsuit. [Associated Press, 08/22/2005]



Prohibiting Use of State Money (4 states)

Four states have drafted legislation to block the use of state and local funds for compliance with No Child Left Behind's rules and regulations.

States Taking Action: *Maine, New Hampshire, Vermont, Wisconsin*

Key Examples of Legislatures Seeking to Prevent the Use of State Money to Implement NCLB:

- The New Hampshire House of Representatives introduced HB786 prohibiting the State Board of Education and Department of Education from adopting or amending any administrative rules or regulations to comply with NCLB if compliance would require funding from the state's general fund. [New Hampshire Legislature website, 01/28/2004]
- The Vermont Senate introduced SB185 and the Vermont House of Representatives introduced HJR25, which prohibit the use of state funds for costs related to implementation of NCLB. SB185 was signed into law by Governor Douglas on June 11, 2003. [Vermont Legislature website, 06/11/2003]