



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



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March 2, 2007

**MEMORANDUM**

TO State Board of Education  
FROM: Michael P. Flanagan  
SUBJECT: Update on Federal Issues

**Senate HELP Committee Reports Head Start Reauthorization; House To Follow**

Senate Health, Education, Labor and Pensions Committee Chairman Edward Kennedy (D-Massachusetts) made the reauthorization of Head Start a priority for the 110<sup>th</sup> Congress, and reported from his committee on February 14, S. 556, The Head Start for School Readiness Act. The reauthorization languished in the previous Congress, mired in church-state politics, and the role faith-based organizations would play in the federal government's most well known early childhood program.

As reported by the committee, the bill expands coverage for Head Start by extending eligibility to children from families with an income of up to 130 percent of poverty. It doubles the set aside for Early Head Start from 10 percent to 20 percent by the Year 2010. The migrant program portion is set at up to 5 percent, with the Indian portion at a minimum of 4 percent.

After 1994, under the leadership of House Education and Workforce Committee Chairman William G. Goodling, the Head Start statute was reworked to enhance the education component. Senator Kennedy's bill takes those reforms even further. In a major change, all grant awardees will be required to re-compete for their status as a grantee every five years. Another major new requirement, aligning the program to the Elementary and Secondary Education Act highly qualified teacher provisions, requires all Head Start teachers nationwide to have at least an associate degree in early childhood education, or equivalent coursework, by 2012; and all curriculum specialists to have a baccalaureate or advanced degree in early childhood education, or equivalent coursework, by 2010. All Head Start teaching assistants would be required to have at

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least a child development associate credential by 2010, and half of all the program teachers in each state must have a baccalaureate degree in early childhood education, or equivalent coursework, by 2013. In addition, all Head Start teachers would be required to attend not less than 15 hours of professional development per year. Reports on progress toward these goals would be submitted periodically to Congress.

If enacted, the bill requires states to establish state advisory councils on early care and education, covering from birth to school entry, that would essentially cover policy for all early childhood education and promote collaboration and coordination among all programs serving young children, and align Head Start services with state early learning standards. The council's assignment would be to identify barriers to, and opportunities for, collaboration between federal and state programs. They would also develop recommendations for a unified data system, and develop a statewide professional development plan for early care and education within the state that would coordinate Head Start professional development with that of other programs.

Centers of Excellence are authorized in the bill to be established in each state to model exemplary Head Start programs.

Historically the Senate follows the House in moving on education legislation. In this case, Congressman Dale E. Kildee (D- Flint), Chairman of the House Education and Labor Committee Subcommittee on Early Childhood and Elementary and Secondary Education, reported to a Michigan group in his office on February 27 that he was working on a comparable bill to introduce very soon in the House. Action by his subcommittee will follow shortly thereafter, he said.

### **The 2007 National Anti-Hunger Policy Conference Convenes in Washington**

Child food care, soup kitchen, food pantry, senior citizen food program, and commodity advocates from throughout Michigan attended the 2007 National Anti-Hunger Policy Conference in Washington, D.C., from February 25-27 on Capitol Hill sponsored by the Food Research and Action Center, America's Second Harvest – The Nation's Food Bank Network, and The National CACFP (Child and Adult Care Food Program) Forum.

Michigan attendees represented Focus:HOPE, the Food Bank Council of Michigan, Yad Ezra, Forgotten Harvest, Elder Law of Michigan, the Grand Rapids Urban League, the Association for Child Development, Kent Regional 4C, the Northwest Michigan 4C Council and the Michigan Department of Education.

Best practices and legislative speculation on the upcoming Farm Bill debate (see Appendix A), and appropriations were highlighted in breakout sessions. U.S. Department of Agriculture Secretary Mike Johanns, and Under Secretary Nancy Montanez Johner, who oversees the Food and Nutrition Service, addressed the meeting, explaining budgetary constraints in 2007, and what appeared to be a sincere interest in simplifying the paperwork requirements of the many nutrition programs.

Although the child nutrition programs are not up for reauthorization for a couple of years, several speakers commented on the strong connection between good nutrition and classroom performance (see Appendix B), and the need to increase awareness and participation in the Summer Food Service Program, an important priority in Michigan.

**Discussion on the Michigan State Board of Education Positions on the Reauthorization of ESEA/NCLB**

Attached is an updated chart comparing major positions of various groups on the reauthorization of the Elementary and Secondary Education Act/No Child Left Behind, and "Recommended Modifications to the No Child Left Behind Act," adopted by the State Board of Education on February 13, 2007.

## **Letter to Congress in Support of Strong Nutrition Title of the 2007 Farm Bill**

*Signers as of February 22, 2007*

As Congress reauthorizes the Farm Bill this year, our top priority is a strong Nutrition title that reauthorizes and improves the Food Stamp Program, the nation's first defense against hunger, and bolsters the efforts of the emergency food assistance system. We strongly urge that the 2007 Farm Bill and the Fiscal Year 2008 Budget Resolution reflect those urgent national priorities.

Far too many people in our communities lack resources to put food on their tables consistently for themselves and their families. Indeed, the most recent Census Bureau/U.S. Department of Agriculture survey of food security documents that more than 35 million people in the United States live in households that face a constant struggle against hunger. It is absolutely essential that the 2007 Farm Bill address the pressing problem of hunger amidst plenty by strengthening the nation's food assistance programs.

The Food Stamp Program is a crucial and effective investment in meeting the urgent needs of seniors, people with disabilities, children, and low-income working and unemployed adults. It has nearly eliminated malnutrition from the national landscape and helps prevent the problem of hunger from becoming worse in our communities. Food Stamp Program participation closely tracks economic trends, responding quickly to increases in need, whether due to local or national economic circumstances or to disasters, as seen in the aftermath of Hurricane Katrina.

Food stamps help strengthen families and the American communities where those families reside—rural, urban and suburban. More than 80 percent of food stamp benefits go to families with children, allowing their parents to obtain food at grocery stores for meals at home. Much of the remainder goes to seniors and persons with disabilities. Through the nationwide use of Electronic Benefit Transfer (EBT) cards, program utilization has been streamlined for transactions for consumers and store clerks, and EBT has quantifiably reduced the chances of program abuse.

Food Stamps pay dividends for low-income consumers, food producers and manufacturers, grocery retailers and communities. As food stamp purchases flow through grocery checkout lines, farmers' markets and other outlets, those benefits generate almost double their value in economic activity, especially for many hard-pressed rural and urban communities desperately in need of stimulus to business and jobs.

The Food Stamp Program's basic entitlement structure must be maintained while greater resources are provided to the program to more effectively fight hunger in our communities. There are several key areas for program investment:

**Adequacy of Benefits Must Be Improved.** The first step to reducing hunger in the U.S. is to ensure that everyone in the Food Stamp Program has the resources to assist them in purchasing and preparing a nutritionally adequate diet. Neither the average food stamp benefit level of \$1 per person per meal, nor the \$10 per household monthly minimum benefit is sufficient to help families purchase an adequate diet. This dietary shortfall negatively impacts recipients' health and nutrition and impedes the ability of children to learn and adults to work. Another key element to securing an adequate diet will be finding ways to improve access to affordable and healthful foods for food stamp households in low-income neighborhoods.

**Access to the Program Must Be Expanded.** Too many people in our communities are in need of food stamps but cannot get them. Only 33 percent of the people in food bank lines are enrolled in food stamps. Those people in need of food but excluded from the Food Stamp Program include working poor families with savings slightly above decades-old and outdated resource limits, many legal immigrants, and numerous indigent jobless people seeking employment.

**Program Simplification and Streamlining for Caseworkers and Clients Must Continue.** While food stamp outreach and nutrition education are achieving important advances, these efforts need more resources, and enrollments are hampered by shortfalls in state technology and supports. Too many eligible people—especially working poor and elderly persons—are missing out on benefits.

In addition to the necessary improvements to the Food Stamp Program, the 2007 Farm Bill also provides an opportunity to assist the front-line agencies that deal with the problem of hunger every day. The nation's food banks, food pantries, and soup kitchens are stretched to serve more and more people whose food stamps have

**Michigan**

American Red Cross  
Ann Arbor RESULTS  
Barry-Eaton District Health Department  
Center for Civil Justice  
Community Action House  
Community Housing Alternatives  
Covert Public Housing Commission  
Do-All, Inc.  
Economic Justice Commission  
Elder Law of Michigan, Inc.  
Emmaus House of Saginaw, Inc.  
Food Bank Council of Michigan  
Gleaners Community Food Bank  
Hamilton Community Health Network  
Housing Services for Eaton Co  
Ionia Housing Commission  
Iron Mountain Housing Commission  
Katherine's Catering, Inc.  
Leadership Team Sisters of Mercy Detroit  
Madison Property Company  
Michigan Citizen Action  
Michigan League for Human Services  
Michigan State University Extension  
Mid Michigan Community Action Agency  
National Council of Jewish Women, Greater Detroit  
Section  
Oakland County Welfare Rights Organization  
RESULTS, Kalamazoo, MI  
Sault Ste. Marie Housing Commission  
SOS Community Services  
The Bottle Crew  
The Corner Health Center  
United Way of Midland County



## The Federal Child Nutrition Programs: Preventing Hunger and Increasing Academic Achievement

Hunger and poor nutrition are problems that adversely affect academic achievement and make it impossible for children, particularly low-income children, to meet the 2014 proficiency goals set forth in the No Child Left Behind Act of 2002.

### Hungry Children Can't Learn

#### **Hunger impairs children's ability to learn**

Even with quality teachers, classroom resources and curriculum, children cannot learn or score well on achievement tests if they are hungry.

#### **FACTS:**

- Children experiencing hunger have lower math scores and are more likely to have to repeat a grade.<sup>1</sup>

Children who skip breakfast are less able to distinguish among similar images, show increased errors, and have slower memory recall.<sup>2</sup>

Children with hunger are more likely to receive special education services, or receive mental health counseling, than low-income children who do not experience hunger.<sup>3</sup>

Malnourished children have difficulty learning because they are usually less motivated, have shorter attention spans, and have greater trouble expressing their emotions than other children their age.<sup>4</sup>

#### **Children with hunger have more behavioral problems**

Children and adolescents experiencing hunger often have more behavioral, emotional, and psycho-social problems such as suspension from school, difficulties in friendship and getting along with their peers.

#### **FACTS:**

- Children experiencing hunger are more likely to be hyperactive, absent and tardy, in addition to having behavioral and attention problems more often than other children.<sup>5</sup>

Teens experiencing hunger were nearly three times as likely to have been suspended from school, nearly twice as likely to have difficulty getting along with other children, and almost four times as likely to have no friends.<sup>6</sup>

### The Federal Child Nutrition Programs Can Help

#### **School breakfast boosts test scores and draws children to school**

Breakfast is often described as the most important meal of the day, but far too many students have not eaten anything by the time classes begin each morning. School breakfast has the ability to improve academic achievement and attract children to school and decrease tardiness rates.

#### **FACTS:**

- Children who eat breakfast show improved cognitive function, attention, and memory.



## The Federal Child Nutrition Programs: Preventing Hunger and Increasing Academic Achievement

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- <sup>15</sup> Evaluation of the Extended Learning Opportunities Summer Program, Montgomery County Public Schools, Office of Shared Accountability. Oct. 2002.

**Comparison of Positions on NCLB Issues**

<b>Organization</b>	<b>CCSSO</b>	<b>NCSL</b>	<b>NGA</b>	<b>NASBE</b>	<b>NEA</b>	<b>AFT</b>	<b>MDE/SBE</b>
<b>Growth Models</b>		Individual growth and not just a group of students	Supports voluntary value added growth models to determine AYP		Assess student achievement over time. Recognize school improvement.	Give credit for progress and/or proficiency	Expand growth model pilot to allow more, and eventually all states to participate.
<b>100% Prof. Goal</b>		100% proficiency is not achievable	Supports 100% proficiency. NAEP should not be used as the primary measure.				Permit the setting of state targets for steady improvements in proficiency, with the goal of universal proficiency.
<b>SES/Choice</b>			Supports supplemental service 1 <sup>st</sup> , then choice.		Target SES to subgroup that failed to meet AYP. SES must serve all students and must use only HQT. Separate funding stream for SES	Target SES for students not proficient	Accountability for SES providers; funding for admin of SES; allow SES or Choice
<b>SWD/2% Mod. Standard</b>		Special challenges with SWD. NCLB conflicts with IDEA.	Use alternate & modified assessments. Ensure accountability for SWDs.	Use of out of grade assessment. SWDs who complete IEPs counted as graduates	Funding to develop appropriate assessments for SWDs.	Include SWD in assessment & accountability systems appropriately	Develop appropriate assessments; allow "standard number of years" for graduation to be more than 4
<b>ELL/LEP</b>		<b>Special challenges with ELL/LEP</b>	Flexibility for ELL students to gain English Proficiency.	<b>Use English proficiency attainment measures</b>	Funding to develop appropriate assessments for ELLs.	Include ELL appropriately in testing. Current status of 1 year is not sufficient.	Allow ELL students to reach proficiency before testing in English; allow standard number of yrs for grad to be more

Organization	CCSSO	NCSL	NGA	NASBE	NEA	AFT	MDE/SBE
							<p>than 4. Permits states to properly include new immigrant ELL students in school accountability, based on multiple measures for several years (no fewer than 3 years) where educationally appropriate. Allow a full range of alternate assessments, and a system that values individualized growth. Recognize the positive performance of students who have recently transitioned out of the ELL student subgroup accountability determinations for an appropriate period.</p>
<b>HQT</b>			<p>Opposes any federal effort to link teacher prep w/student performance. Supports use of incentives.</p>	<p>Teacher quality policies must include state developed proficiency base approval for teacher education</p>	<p>Quality educator in every class. Revise definition to respect state license &amp; certification systems.</p>		<p>Extend HQT status in a limited fashion to teachers in rural and alternative schools, and in specified special education</p>

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							classrooms, who have HQ status in one subject and demonstrated skill/experience in other subjects; provide for a thoughtful teacher incentives system that supports teacher effectiveness and is not divisive; and support a comprehensive state approval system that is not limited solely to assessment scores.
<b>Assessment</b>	Assess individual student learning	Encourage more sophisticated & accurate systems to measure individual growth	Supports NCLB annual assessments in reading & math	Use of multiple indicators. Monitor every student's progress.	Valid, reliable & flexible for all learners including SWD & ELL	Require assessment data be provided in a timely & user friendly manner.	Use of best score through grade 12 in high school AYP. Permit use of alternate assessments measured against alternate/modified achievement standards based on individualized growth expectations across grade levels as needed for some students.
<b>Accountability</b>	Build more accountability systems to value growth as well as		State accountability aligned w/ state standards.	Schools held accountable for all students on multiple	Based on multiple measures. Financial support	State accountability, fair accurate measures of	Use graduation cohorts of more than 4 years under some

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	status. USED to provide technical assistance		Flexibility in design & testing. Schools held accountable for student performance.	measures	& technical assistance to schools and districts	student progress & achievement	circumstances; identify school or district for improvement only if not making AYP for same content in same subgroup for 2 years. Permit use of confidence intervals in accountability calculations.
<b>Sanctions</b>			Use federal rewards & incentives. Reinforce gov's authority. Provide add'l support to districts & schools in need of improvement.	No withholding funds. Provide technical assistance.	Support before use of sanctions & implemented only w/ full funding of Title I. Use of financial incentives vs. sanctions		Allow differentiated (different levels of) sanctions depending on extent to which a subgroup or school does not meet AYP. Extend options to states in the order of sanctions.
<b>Funding</b>	Determine the real costs of NCLB	Fully fund	Full funding of real costs of 100% proficiency goal. No withholding funds. No unfunded mandates.	Federal funding of assessment & accountability data systems.	Fund to authorized level. Enforce Sec. 9527 (unfunded mandate provision)	Fund NSLB at 2001 level	More realistic and consistent levels of funding overall and specifically for school improvement activities which recognize the new era of federal/state partnership in education policy and accountability with increased roles and

Organization	CCSSO	NCSL	NGA	NASBE	NEA	AFT	MDE/SBE
<b>Other</b>		Federal waivers to promote innovative programs. Flexibility to states. Request GAO study on NCLB costs.	Gov. leadership to enable discretion & wide flexibility. Waiver authority. Rigorous curriculum & Safe & Drug-Free Schools funding.		Restore small class size reduction program. Expand funding of Parent Info Resource Centers. Encourage parent compacts.	Flexibility to implement research based interventions. Redesign failing schools receiving help for at least 3 years.	responsibilities. Promote innovative models, and permit and encourage more interstate cooperative ventures. Improve the peer review process for accountability workbooks, requiring the use of qualified personnel, transparency, and a timeliness standard. Openly debate the "N" size issue and its applicability across the states.

MICHIGAN  
STATE BOARD OF EDUCATION

**RECOMMENDED MODIFICATIONS TO THE  
NO CHILD LEFT BEHIND ACT**

Adopted February 13, 2007

The Michigan State Board of Education recommends that Congress consider the following modifications to the No Child Left Behind (NCLB) Act:

**New School Definition**

The requirements of NCLB must allow for the unique needs of each state—as exemplified by the requirement for each state to define what a “new school” is for purposes of AYP.

**Graduation Cohorts More Than Four Years**

Recognizing that time is the variable for some students to achieve the more rigorous graduation requirements in Michigan, use graduation cohorts of more than four years under some circumstances.

**Use of Best Score Through Grade 12 in AYP Calculation**

Incorporate students’ best score, including senior retests, in AYP determinations. Use the best score through grade 12 in high school AYP. Permit use of alternate assessments measured against alternate/modified achievement standards based on individualized growth expectations across grade levels as needed for some students.

**Identification of School or School District for Improvement**

Identify a school or school district for improvement only if the school or school district does not make AYP for the same content area in the same subgroup for two consecutive years.

**Proxy Calculation for Students with Mild to Moderate Cognitive Impairment**

Develop appropriate assessments; allow “standard number of years” for graduation to be more than four.

### **Limited English Proficient Students and AYP**

Allow schools and school districts to include Formerly Limited English Proficient (FLEP) students in the limited English proficient subgroup for AYP calculation for up to two years. Allow schools and school districts to expand flexibility for English language learners in their first year of school in the United States to their first two years of school in the United States.

Allow ELL students to reach proficiency before testing in English; allow standard number of years for graduation to be more than four. Permits states to properly include new immigrant ELL students in school accountability, based on multiple measures for several years (no fewer than three years) where educationally appropriate. Allow a full range of alternate assessments, and a system that values individualized growth. Recognize the positive performance of students who have recently transitioned out of the ELL student subgroup accountability determinations for an appropriate period.

### **School Report Cards for High Schools and Some Schools Testing Students with the MI-Access Participation and Supported Independence Assessments**

Issue high school NCLB report cards, and the report cards of any elementary or middle school that administered the replacement tests for the MI-Access *Functional Independence* and *Supported Independence*, after the start of school next fall, if necessary.

### **Consistency With Approvals of Exceptions Among States**

In the creation of state plans and the approval of accountability workbook modifications, the U. S. Department of Education has not always been consistent. Sharing information about approvals openly among states would foster greater transparency and trust. Some examples of inconsistency are: minimum N, confidence intervals, assessment of ELL students, and alternative assessments for students with cognitive impairments.