

teachers' subject matter preparation. The National Board for Professional Teacher Standards was directed to complete the development of assessments for highly accomplished teachers. The number of nationally certified teachers has climbed to 4,804 in 1999.

The Eisenhower Professional Development Program provided grants to states, schools districts, and higher education institutions to support professional development activities. In February of 1999, Riley advocated the High Standards to the Classroom initiative that would succeed the Eisenhower, Goals 2000 and Title VI programs and focus on sustained, intensive, and collaborative standards based professional development.

To carryout many of these programs required new innovations in outreach. Recognizing the expanded role of technology and its importance to improving the learning of students and teacher education, the Department developed a web site that acted as a portal to Department programs, financial support, and resources for improving teacher quality. The public was provided ready access current information on topics that included recruitment, preparation, professional development, school leadership, and classroom resources. A Teacher Listserv provided, early on, exemplary teachers with a forum to communicate and share ideas on education reform. The electronic dialogue provided, and still does, Department staff with an opportunity to hear teachers' opinions and perspectives.<sup>194</sup>

Written communication with teachers, schools, districts, and state education offices included the development of "A Talented, Dedicated, Well-Prepared Teacher in Every Classroom" information kit. This packet of information was disseminated to thousands of teachers, nationwide, and outlined the challenges that states and school districts face in ensuring teacher quality for all students, provided specific models of best practices, offered communities

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<sup>194</sup> Taylor, Bill, "Memo to Melanie Verveer re: the Clinton legacy and education," November 19, 1996.

suggestions for "next steps," while identifying additional resources available to enhance teacher quality.

The development of the "Eliminating Barriers to Improving Teaching" information kit offered state and other policymakers, a candid look into the root causes of our teacher quality challenges while identifying policies and practices that are barriers to improved teaching.

Additionally, the teacher quality team planned and implemented a series of activities designed to engage key partners --college and university presidents and chancellors; arts and sciences and education faculty; K-12 teachers and administrators; and community representatives--in the redesign of teacher preparation programs.

Examples of these initiatives include the September 1999 Presidents' Summit on Teacher Quality which brought college and university presidents together to discuss their leadership role in supporting quality teacher preparation. A January 2000 National Conference on Teacher Quality convened 166 teams (comprised of more than 1000 higher education leaders and their K-12 and community partners) to learn about exemplary practices in teacher recruitment, preparation and mentoring, and begin work on action plans to improve their own teacher education programs. Teacher Quality Institutes were offered in the summer of 2000 to guide 79 teams in developing specific action plans to redesign at least one aspect of their teacher preparation programs.

Perhaps the most comprehensive effort to gain insight into the needs of classroom teachers was the implementation of the National Teacher Forum.<sup>195</sup> This annual Forum brought together 120 outstanding teachers to learn about teacher leadership in education reform.<sup>196</sup> At

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<sup>195</sup> Dozier, Terry, Special Advisor to the Secretary on Teaching, Letter regarding Goals 2000 Teacher Forum, April 4, 1994.

<sup>196</sup> See various planning documents used to prepare the first Goals 2000 Teacher Forum titled, "Goals 2000 Teacher Forum Planning Documents," Washington, D.C. 1993.

the Forum, teachers developed vision statements and personal action plans to carry out in their home states. Follow-up state forums were also put into place in over 30 states.

To address the increasing problem of a decline in the number of administrators willing to work in the public school system the first annual National Principals' Summit was convened in July 2000. The summit provided 114 nationally recognized elementary, middle and high schools principals with a forum to discuss instructional leadership, the role of the principal, strategies for engaging colleagues and policymakers, and other issues critical to their ability to be effective school leaders.<sup>197</sup>

The Teacher Quality Team inspired a Department-wide effort to coordinate the research conducted by all Department offices. Over time, the Teacher Quality Research Coordination Team strengthened and focused the Department's research and evaluation efforts related to teaching and teacher development, and ensure the availability of a stable and uniform data collection system in these areas.

The Team regularly used the Department's strategic plan entitled, "A Talented and Dedicated Teacher is in Every Classroom in America," and provides feedback on the objective's indicators, strategies and data sources. This plan, which Team members developed, was one of only two Department and five government-wide efforts that GAO recognized for effective implementation of Government Performance and Results Act (GPRA) requirements. See GAO's October 23, 2000 report: A Look at GPRA Practices--How Far Have We Traveled?

Improved teaching tops policymakers' list of issues critical to improving public education: A 2000 survey of the National Governors Association members revealed teacher quality as the number one policy issue for governors.

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<sup>197</sup> Riley, Richard W. U.S. Secretary of Education, "National Association of Elementary School Principals National Distinguished Principals Awards Ceremony," Washington, D.C., October 6, 2000.

In addition, at the 1999 National Education Summit governors, and education and business leaders pledged to work together to address the issue of "improved teaching."

Teacher quality powerfully influences students. Spending additional resources on teacher education is the single most productive investment schools and districts can make to raise student achievement.

Riley recognized that enhancing teacher quality is indispensable to school reform and efforts to raise student achievement through higher standards. He realized that if teaching methods were not systematically adopted and improved, other changes in school organization would have little impact on student achievement.

#### Educational Technology Advancements

Over the past 7 years, the Department of Education's Office of Educational Technology (OET) has focused on 4 goals for educational technology: training teachers to use technology effectively in instruction, ensuring that all teachers and students have modern computers in their classrooms, connecting every classroom to the Internet, and integrating high-quality software and on-line learning resources into every school's curriculum.

At the start of this decade, there was 1 instructional computer for every 20 students. In 1998, there was more than 1 instructional computer for every 6 students.<sup>198</sup> Between 1993 and 1999, the percentage of classrooms with Internet access grew from 3% to 65%. By the end of this year, 100% of schools will likely be connected to the Internet and classroom connections will continue to increase.<sup>199</sup> In 1993, only 19% of the poorest schools had access to the Internet. By 1999, 90% had access. Among *classrooms* in the poorest schools,

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<sup>198</sup> Market Data Retrieval, *Technology in Education*, 1997, 1998, 1999.

however, only 39% were connected to the Internet.<sup>200</sup> In 1994, 51% of teachers had recently participated in professional development on the use of technology. In 1998, 78% of teachers received professional development that focused on the integration of technology in the grade and subject they taught.<sup>201</sup> A 1998 national survey of teachers and classrooms showed an increase in use of technology across the curriculum and in applications of technology that support higher-order thinking skills.<sup>202</sup>

With this Administration's leadership, a National Plan for educational technology, issued in 1996, focused public, private, State and local attention on educational technology for the first time.<sup>203</sup> Since then, all States have created comprehensive plans to integrate the use of technology to help students learn challenging content and to ensure that all children are technologically literate by the dawn of the 21st century. These plans also focused on teacher training, staff development, and financing for technology overall.

The innovative E-Rate program, championed by Vice President Gore and Secretary Riley, offers a major breakthrough in getting technology into classrooms across America. It provides schools and libraries with \$2.25 billion annually in discounts on phone service, network connections, and Internet access. The poorer the school, the deeper the discount. Over 647,000 classrooms will be connected to the Internet as a direct result of E-Rate discounts. In addition, States have received over \$1 billion through the Technology Literacy Challenge Fund to help schools and districts work together with private sector partners and other community

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<sup>199</sup> National Center for Education Statistics, *Survey of Advanced Telecommunications in U.S. Public Elementary and Secondary Schools*, 1997, 1998, 2000.

<sup>200</sup> *Survey of Advanced Telecommunications*, 2000.

<sup>201</sup> National Center for Education Statistics (1999), *Teacher Quality: A Report on the Preparation and Qualifications of Public School Teachers*. Washington, D.C.: U.S. Department of Education.

<sup>202</sup> Center for Research on Information Technology and Organizations, University of California, Irvine and University of Minnesota (1998), *Teaching, Learning and Computing: 1998 National Survey*, Report #3.

<sup>203</sup> U.S. Department of Education (1996), *Getting America's Students Ready for the 21<sup>st</sup> Century: Meeting the Technology Literacy Challenge*, Washington, D.C.

organizations to put modern computers, high-quality educational software, and affordable connections to the Internet in every classroom. The Administration has encouraged States to target these funds to high-poverty, high-need districts. Estrella, a Department-funded migrant education technology project, puts laptop computers directly into the hands of migrant students in New York, Illinois, Montana, and Texas, and supports learning in school, at home, and when the students are in transit. Students and their families receive training in the use of computers and the Internet. Students use their laptops to stay in touch with their teachers and keep up with course work when they are away from their home school. Throughout the year, "cyber mentors" who are college students provide encouragement and serve as role models and mentors via e-mail. Whereas only 50% of migrant students nationwide graduate from high school, all of the participating seniors in 1999 graduated, and 80% enrolled in post-secondary education. In 1997-98, Federal funds paid for 53% of new computers purchased for high-poverty schools, compared to 12% of computers purchased for low-poverty schools.<sup>204</sup>

Access to computers and the Internet will not help students achieve high academic standards unless teachers are as comfortable with a computer as they are with a chalkboard. The Administration has urged States to devote at least 30% of the Technology Literacy funds to training teachers how to use technology effectively in instruction, especially teachers in high-poverty, low-performing schools. The new \$75 million Preparing Tomorrow's Teachers to Use Technology program supports 1,350 partnerships among colleges, school districts, State educational agencies, high-tech companies, and non-profits. These partnerships will train 400,000 new teachers to be technologically literate and able to integrate technology into the curriculum. The Administration's \$150 million budget request for FY 2001 will further help

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<sup>204</sup> U.S. Department of Education (2000), *Study of Education Resources and Federal Funding*, Washington, D.C., p. 151.

these partnerships prepare a large portion of the 2.2 million new teachers needed over the next several years.

Through the Technology Innovation Challenge program, 96 multi-district and multi-State partnerships involving 220 colleges and universities, 381 businesses, 520 community-based organizations, and 744 schools, districts, and other partners have been developing innovative uses of computers, networking, Web-based instruction, and multimedia across the curriculum. Over 5 years, the \$450 million investment in this program has generated \$1.3 billion in matching commitments. Moreover, the Star Schools program continues to support telecommunications partnerships that use distance learning to provide instruction in core subjects and professional development for students and teachers in remote, under-served areas.

Access to technology is only the first step in closing the digital divide. We also need to give people the skills they need to use technology, and to promote content and applications of technology that will help empower under-served communities. That is why the Administration's budget request for FY 2001 includes \$100 million to create up to 1,000 community technology centers in low-income urban and rural communities—more than triple the current investment.

This initiative provides access to computers and Information Age tools to low-income children and adults who would otherwise lack such access. Children improve their performance in school by having access to high-quality educational software after school, and they may prepare for the high-tech workplace of the 21st century by getting certified with an information technology skill. Using computers and the Internet, adults take self-paced adult literacy courses, get access to America's Job Bank to see what jobs are available, prepare résumés and cover letters using word processing software, start their own micro-enterprises or Web-based businesses, and acquire new training. A National Science Foundation-sponsored study confirms that community technology

centers are helping to close the digital divide. Among the users surveyed, 62% had incomes of less than \$15,000, 65% took computer classes to improve their job skills, and 41% got homework help or tutoring at the centers.<sup>205</sup>

The Office of Educational Technology has also played a key role in the issue of internet safety. The office worked with internet companies and education and parent groups to launch the Smart Surfing Project. It revised the Parents Guide to the Internet to include information provided by the Department of Justice and upgraded information overall. Working in partnership with the FTC OET issued joint guidance on the Children's Online Privacy Protection Act.

OET played a key role in the new International Education Initiative launched this year by Secretary Riley. In addition to holding the Secretary's Conference on Educational Technology, OET also commissioned "The Teachers Guide to Using the Internet" which was used during International Education Week to establish Classroom-to-Classroom connections.

In response to growing external user demand, the OET redesigned and expanded its website. New domains were added to create "one-stop" sites focused on the following technology issues: digital divide, distance learning, evaluation & assessment, international education, internet safety and budget & legislation.

### **Educational Inclusion**

#### **Special Education**

During the past eight years, the Clinton Administration has accomplished much to help ensure that all persons have equitable opportunities for high quality education and employment. The Office of Special Education and Rehabilitation Services (OSERS) was instrumental in

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<sup>205</sup> Education Development Center, Inc. (1998), *Impact of CTC Net Affiliates: Findings from a National Survey of Users of Community Technology Centers.*

supporting improved educational results for all students, earlier intervention for infants and toddlers with disabilities, transition to postsecondary education and high quality employment, improved access through technology, and empowerment through independent living and parent training centers. In all of these areas, the Administration has established important legacies, and these efforts are embodied within our strategic plan.<sup>206</sup>

OSERS needs to continue to provide leadership to achieve full integration and participation of people with disabilities by ensuring equal opportunity and access to a quality education, meaningful employment, and independent living. The following sections will describe important accomplishments over the past years and identify future directions for incorporating disability issues in national public policy, improving programmatic accountability, promoting federal interagency collaboration, infusing disability issues within Departmental staffing policies, and improving communication and collaboration across OSERS components. These accomplishments and goals for the future will further the missions of both OSERS and the Department, and continue to improve the lives of Americans with disabilities for years to come.

With the signing of the landmark 1997 amendments to the Individuals with Disabilities Education Act, the focus of IDEA changed from one that merely provided disabled children access to an education to one that improves results for all children in our educational system.<sup>207</sup>

IDEA '97 strengthened the role of parents in educational planning and decision making on behalf of their children. It focuses the student's educational planning on promoting meaningful access to the general curriculum. The new law also reduced the burden of unnecessary paperwork for teachers and school administrators. All of this was accomplished

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<sup>206</sup> OSERS Strategic Plan (Washington, DC: Author, 1997).

<sup>207</sup> IDEA Amendments of 1997: An Information Package (Washington, DC: Author, 1998).

without compromising the Clinton administration's fundamental principle of protecting the basic rights of children with disabilities to a free appropriate public education.

Meanwhile, the administration has revamped its approach to state monitoring.<sup>2108</sup> During the past five years, the Department has worked with states, parents, advocates and other key stakeholders to shape its accountability work in a way that drives and supports improved results for infants, toddlers, children and youth with disabilities, without sacrificing protection of individual rights.

In order to ensure compliance with IDEA '97 supporting positive results for children with disabilities, the Department designed a continuous improvement monitoring system that includes:

- Increased collaboration between the Department of Education, state educational agencies and special education stakeholders;
- Providing ongoing technical assistance to states to support the process;
- State self-assessments;
- Increased stakeholder involvement in the process including parents, students, and advocacy organizations;
- Continued on-site review of state and local programs; and
- An improved planning process driven by the unique needs of the States.

Under Part D of IDEA, States received support to enhance their capacity to develop infrastructures to support to full and effective implementation of IDEA through research and technology, personnel preparation, technical assistance and dissemination, and studies and evaluation. Activities improve results for children with disabilities as well as their non-disabled

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<sup>2108</sup> State Improvement and Monitoring, "22<sup>nd</sup> Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act" (Washington, DC, GPO, 2000), p. IV-23.

peers in families and schools throughout the United States. Three areas of particular importance include the following:

- OSERS supported investments in access to the general education curriculum, including a newly-funded technical assistance center and a number of useful publications including a *Guide to the Individualized Education Program* and *Improving Instructional Practices for Students with Learning Disabilities*.
- The National Center on Educational Outcomes represents a significant investment in assessment and accountability. The center conducts research and provides technical assistance on a variety of issues surrounding assessment of children with disabilities.
- IDEA supports research and technical assistance to improve outcomes for students with behavioral difficulties. The Center on Positive Behavioral Supports offers assistance to States and school districts seeking to create safe and effective learning environments. Publications include *Early Warning and Timely-Response Guide* and the *Early Warning Action Guide*, both developed in collaboration with the Department of Justice.

To better understand the long term educational needs and outcomes of students with disabilities, OSERS established longitudinal studies to increase research-based knowledge regarding student achievement. These studies include the following:

- Early Intervention Longitudinal Study (NEILS). This longitudinal study of infants and toddlers and their families will follow a nationally representative sample of 3,300 families and children from the time they enroll in early intervention programs, through their time in these programs, and finally through the transition out of early intervention and into other settings. The study is looking at the characteristics of program

participants; the types of services they are receiving; who is providing the services; and outcomes realized by children and families.

- Pre-Elementary Education Longitudinal Study (PEELS). Study of children with disabilities ages 3 to 5 between preschool and kindergarten. The study will involve a nationally representative sample of more than 3,000 children in special education, who will be followed into early elementary school. Information will be collected from parents, preschool and elementary school teachers, preschool directors, and school principals regarding children's characteristics, household contexts, school programs and related services, and outcomes in several areas.
- Elementary Longitudinal Study (SEELS). This study will follow a nationally representative sample of approximately 14,000 students in special education who are age 6 (and in first grade) through age 12 in the 1999-2000 school year. They will be followed as they transition from elementary to middle and middle to high school. Research will focus on characteristics and functional abilities of students in special education; the characteristics of households, schools, programs, and classroom experiences; and student achievement and outcomes.
- National Longitudinal Transition Study-2 (NLTS2). This will be a 10-year study of 13- through 17-year-old students receiving special education. The study will look at characteristics of students and their families; secondary school and adult programs and services; and the results youth achieve during their secondary school years and in early adulthood. The study will provide important information about the ways in which secondary education and results and post-school experiences have changed for youth with

disabilities in the previous decade or more. An assessment of student performance also will be conducted.

- Study of Personnel Needs in Special Education (SpeNSE). This study will provide information on general and special education teachers, speech-language pathologists, preschool special education teachers, and paraprofessionals serving students with disabilities. The study will describe the adequacy of the workforce and attempt to explain variation in workforce quality based on state and district policy, working conditions, preservice education, and continuing professional development.
- The Special Education Expenditure Project (SEEP). This study is the most recent in a series of national studies of the costs of special education and related services. It addresses questions about how federal, state, and local funds are used to support programs and services for students with disabilities, with special attention to the fiscal provisions enacted under IDEA '97.
- State and Local Implementation of IDEA (SLI-IDEA). The study will provide information annually on the status of the implementation of the law and its impacts on policies and practices at the state, district, and school levels, with a focus on the most significant issues relating to implementation of the law.
- State and Local Implementation of IDEA Part C (SLI-IDEAC). This study will provide information annually on the status of the implementation of Part C of IDEA 97. Policies and practices at the state and program levels will be assessed. Some important areas for evaluation will be service coordination, natural environments, and systems of finance.

Today, almost half of America's six million students with disabilities attend class alongside non-disabled students at least 80 percent of the school day. This figure has steadily increased

since P.L. 94-142 was passed in 1975. During the Clinton Administration, graduation rates of students with disabilities have also steadily increased from 51.7% in the 1993-1994 school year to 57.4% in 1998-99. Conversely, special education drop out rates fell from 34.7% to 28.9% during the same time period. These trends reflect important milestones for special education and students with disabilities over the past eight years.

**Earlier Intervention**-- Because IDEA's Part C Infants and Toddlers Program is built on the belief that earlier intervention leads to better child outcomes, it is especially gratifying that the number of infants and toddlers served has shown steady growth. There is also evidence that infants and toddlers are being identified for services at an earlier age. Recognizing the interagency nature of services for young children with disabilities and their families, Congress established a Federal Interagency Coordinating Council (FICCC) to coordinate and mobilize all available resources to assure appropriate services for the nation's infants and young children with disabilities and their families.

**Schoolwide Reform**-- In addition to funding provided by the U.S. Department of Education through the Individuals with Disabilities Education Act (IDEA), numerous other Department programs directly impact the quality of education experienced by disabled students nationwide. During the 1999-2000 school year, the Department provided more than one million disabled students with additional services through the Title I program. The Department has also helped foster individualized learning environments by providing school districts with additional funds to train teachers, reduce class size, purchase technology, promote safe schools, and provide after-school programs. The administration also proposed initiatives to address the demand for school construction and renovation, including the need for facilities that are accessible to the disabled. To help implement new provisions of IDEA '97 and promote pre-service and in-

service professional development among teachers and paraprofessionals, OSERS funded State Improvement Grants aimed at bringing about important changes through ongoing school wide reform efforts.<sup>209</sup>

Transition to Postsecondary Education and Employment -- According to a triennial survey, the number of college freshmen reporting some type of disability has increased substantially during the last decade.<sup>210</sup> In addition, the number of postsecondary institutions offering educational opportunities for persons with disabilities has also increased. This progress may be due, in part, to a number of legislation such as the IDEA, the Rehabilitation Act of 1973, the ADA, and the HEA.

The HEA Amendments of 1998 authorized two new programs that have much potential to improve postsecondary outcomes for students with disabilities. The first program, Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), provided grants to states and to partnerships between colleges and high-poverty middle schools and junior high schools to prepare students, including students with disabilities, for college. GEAR UP grants target disadvantaged students early, beginning in the sixth and seventh grades, to ensure that they receive the support and preparation they will need to successfully be accepted to and graduate from postsecondary education programs. The 1998 HEA Amendments also authorized a new program of demonstration projects designed to provide faculty and administrators in postsecondary institutions with the skills and support they need to teach students with disabilities. The Office of Postsecondary Education Programs (OPE) funded 22 new projects through this program at universities and colleges across the country. The purpose of these

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<sup>209</sup> Jane Storms and Leslie Sullivan, Summary of Funded State Improvement Grant Applications (Eugene, OR: Western Regional Resource Center, 2000).

<sup>210</sup> American Council on Education, College Freshmen with Disabilities: A Triennial Statistical Profile (Washington, DC: Author).

projects is to develop innovative, effective, and efficient teaching methods to enhance the skills and abilities of postsecondary faculty and administrators. These projects, along with GEAR UP grants and increased collaboration between OSERS and OPE, has helped further the goals of postsecondary education access and improved employment outcomes.

Through leadership of the National Institute of Disability and Rehabilitation Research (NIDRR), the Department has worked continuously to help assure access to information technology for persons with disabilities. Information and technology have become crucial for learning and for high quality employment, and the increased use of technology among persons with significant disabilities has expanded their opportunities to learn and work. Technology has also helped overcome distance and transportation barriers. Individuals with disabilities increasingly have the opportunity to learn from their homes through the use of computers and long distance technology without the need to travel. Further, distance learning has also provided VR counselors and program staff with opportunities to update their professional skills and acquire new knowledge without having to interrupt their work schedules.

Vocational rehabilitation provides a number of services, including assistive and conventional technology, which promote personal independence and integration into the community and workforce. In addition, NIDRR has supported important technology research to advance the state-of-the-art, and activities that help people with disabilities take full advantage of opportunities made available through technology.<sup>211</sup> Examples of these include the following:

Extensive media coverage was devoted to a recent analysis documenting substantial racial and ethnic gaps in access to electronic technologies in the United States. The present report, Computer and Internet Use Among People with Disabilities, by H. Stephen Kaye, Ph.D., using data from the same survey, demonstrated that gaps in

computer and Internet use based on disability status are just as large as those based on race and ethnicity.<sup>212</sup>

The Alternative Financing Program (AFP) awarded grants to States to help establish and promote alternative financing mechanisms that allow individuals with disabilities and their family members to purchase assistive technology devices and services. Also associated with the Tech Act, NIDRR administered systems change efforts in State technology use achieved important strides to bring technology use practices into compliance with Sec 508 of the Rehabilitation Act.

Persons with disabilities have faced a variety of access problems with information technology due to sensory, operating system, software and input-output problems. In October of 1997, the Secretary sent a technical and policy package to all School districts with information intended to support the development of accessible systems, and to bring to the attention of the Districts their responsibilities for ensuring access under Federal statutes and regulations. Assistant Secretary Heumann has been a member of the Access Board, charged with developing standards for technology accessibility under Section 508 of the Rehabilitation Act, and the Board recently published these standards.

The Department helped to support the Web Accessibility Initiative (WAI), sponsored by the World Wide Web Consortium (W3C), in coordination with organizations around the world. The WAI's commitment to lead the Web to its full potential includes promoting a high degree of usability for people with disabilities. The WAI is pursuing accessibility of the Web through five primary areas of work: technology, guidelines, tools, education & outreach, and research & development.

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<sup>211</sup> NIDRR, "Long Range Plan, 1999-2003" (Washington, DC: Author, 2000).

<sup>212</sup> H. Stephen Kaye, Disability and the Digital Divide (Washington, DC: NIDRR, 2000)

Guidelines developed by WAI and W3C explain how to make Web Content accessible to people with disabilities, and are intended for all web content developers and developers of authoring tools.<sup>213</sup>

The Trace Center, a Rehabilitation Engineering Research Center at the University of Wisconsin supported by the Department, provided crucial technical assistance leading to the development of important accessibility features in Microsoft Windows. Special features incorporated in this software allow users with disabilities to control interface settings that make access possible. Consumer demand from individuals with disabilities made these features available in tens of millions of Microsoft Windows software packages, now found in homes, schools and businesses throughout the world. This electronic curbcut, the first step in providing access for individuals with disabilities to the information superhighway, could become the most widely distributed and relevant accommodation of all time.

The Department has supported Rehabilitation Engineering Research Centers RERCs to plan and conduct research leading to new scientific knowledge and new or improved methods, procedures and devices to benefit people with disabilities. They are engaged in developing and disseminating innovative methods of applying advanced technology, scientific achievement, and psychological and social knowledge, with the goal of solving rehabilitation problems and removing environmental barriers. The RERCs work at the individual level focusing on technology to lessen the effects of sensory loss, mobility impairment, chronic pain, and communications difficulties. They also work at the systems level in such areas as eliminating barriers to fully accessible transportation, communications and housing. Partnering with industry, product developers, private sector

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<sup>213</sup> W3C, Web Content Accessibility Guidelines (Madison, WI: University of Wisconsin, 1999).

entrepreneurs and even hobbyists, the RERCs embody the potential to make sweeping changes affecting public policy and the nature of the built and virtual environments.

Advances in rehabilitation engineering over the past eight years have allowed people with disabilities to enhance their independence at home, work, and in their communities.

The Centers for Independent Living (CIL) and Parent Training and Information Centers (PTI) programs provide grants that empower the lives of persons with disabilities and their families. The programs have grown substantially over the past eight years, and will result in a lasting legacy for the Clinton Administration.

CIL grants support consumer-controlled, community-based, cross-disability, nonresidential, private nonprofit agencies that are designed and operated within a local community by individuals with disabilities and provide an array of independent living services. CILs are required to provide the core services of information and referral, independent living skills training, peer counseling, and individual and systems advocacy. Most centers are also actively involved in community planning and decision making, school-based peer counseling, role modeling and skills training, and working with local governments and employers to open and facilitate employment opportunities.

In 1990, there were 97 centers for independent living (CILs), operating from 202 locations, supported by the CIL program. In 2000 there are over 280 CILs supported by the CIL program, with approximately 200 other receiving support from the State Independent Living program, State, local, and private funding.

In 1990 the program was supported with \$26.7 million and provided services to approximately 76,200 consumers including information and referral. In 1998, the year for which there is most accurate data, the CIL program was supported at a level of \$45.2 million and

provided substantial services to 118,364 consumers and information and referral to approximately 320,000 individuals. In FY 2001, the CIL program received \$58 million, or a 20.8% increase over the FY 2000 appropriation. The independent living centers budget represented an increase of \$29 million over FY 1992, or a 100% increase over the past eight years.

The FY 2001 budget included \$26 million, or a 40.3% increase over the FY 2000 budget for PTIs. These funds will assist parents of children with disabilities to better understand their rights and responsibilities, and effectively advocate for their children's education.

IDEA '97 contains some significant changes in opportunities for parents to participate in the planning of their child's educational program as well as participating in activities promoting school reform. We know that informed parents would help move the system to fully implement these changes. These parents must be active participants in the individualized education planning process. IDEA '97 requires that children with disabilities access the general education curriculum; participate in school assessments; have IEPs that include a statement of transition services from age 14 and older; and/or others, as applicable. PTIs help parents learn about these changes and develop appropriate materials that help parents better understand their rights and responsibilities. In addition, mediation and dispute resolution services are supported through PTIs, new options that can facilitate positive agreements between parents and school systems without the costly, and often negative, due process hearings and appeals. Although due process is still available to parents, they need to know about these options. PTIs need to understand these new options themselves, and provide this critical information to parents.

These new requirements impact the Parent Information and Training Centers, as changes must be made in training materials and presentations. This information needs to be made

available to all parents - those who have never attended a workshop or seminar as well as those who previously have received training, and, now need the new information to be effective advocates for their children.

Together with the CILs, PTIs help empower individuals with disabilities and their families in order to help persons with disabilities help themselves. This is critically important for improving the lives of Americans with disabilities, and the growth of these programs is a key accomplishment of the Clinton Administration.

The Department needs to continue to provide leadership to achieve full integration and participation in society of people with disabilities by ensuring equal opportunity and access to a quality education, meaningful employment, and independent living. Several areas need sustained attention. First, the Department should continue to ensure that disability issues are incorporated in national public policy. This should include analyzing implications for disability public policy of trends in education, employment and the economy, incorporate measures related to disability populations in all appropriate data collections efforts and assessments, and full implementation of disability civil rights statutes.

Second, OSERS should continue to improve the accountability of all programs within its purview. Third, the Department should continue cross-government collaboration of the Task Force on the Employment of Adults with Disabilities, including the work of the Youth Subcommittee. Fourth, the Department should continue to ensure that disability issues are incorporated in hiring, retention, and promotion policies. Finally, OSERS should continue to build its staff capacity, including fostering cross-component collaboration, promoting professional development and upward mobility, and sustaining the OSERS Culture Change activities.

## Bilingual Education

Throughout the 21st century, public school enrollments will continue to be transformed by an increase in the number of students who bring the richness of linguistic and cultural diversity with them to our schools. For example, from 1991-92 to 1992-93, schools experienced a 13 percent increase in their enrollment of limited English proficient students. By 1992-93, schools enrolled 2.7 million LEP students. In America's schools today, over 200 different languages are spoken by students who are eagerly trying to learn English to enjoy the opportunities our public schools and society have to offer. The Office of Bilingual Education and Minority Language Affairs (OBEMLA) was created to provide limited English proficient students with equal access to equal educational opportunities.<sup>214</sup>

Congress passed the Bilingual Education Act in 1968 in recognition of the growing number of linguistically and culturally diverse children enrolled in schools who, because of their limited English proficiency, were not receiving an education equal to their English-proficient peers. The purpose of this Act was, and continues to be, aligned with Title VI of the Civil Rights Act of 1964 that the Department interpreted as follows:

Where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.<sup>215</sup>

Established in 1974 by Congress, OBEMLA has helped school districts meet their responsibility to provide equal education opportunity to limited English proficient children.

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<sup>214</sup> See U.S. Department of Education, "Questions Prepared for Secretary Riley during Testimony on 1994 ESEA Reauthorization," 1994, p. 4.

<sup>215</sup> Ibid., p. 5.

OBEMLA administers programs authorized by Title VII of the Improving Americas Schools Act (IASA). Title VII is also known as the Bilingual Education Act. Title VII programs provided educators with the flexibility to implement and expand programs that built upon the strengths of linguistically and culturally diverse students with the goal of helping them achieve to high academic standards.

Specifically, OBEMLA has funded four functional discretionary grant categories for direct instructional services by local educational agencies:

- Program Development and Implementation Grants -3 year grants designed to assist LEAs develop and implement new and comprehensive bilingual education for linguistically and culturally diverse students;
- Program Enhancement Project Grants -2 year grants designed to assist LEAs in carrying out highly focused, innovative, and locally designed projects to expand or refine existing bilingual education for linguistically and culturally diverse students;
- Comprehensive School Grants -5 year grants designed to assist LEAs in reforming, restructuring, and upgrading all elements of an individual school's program and operations to serve linguistically and culturally diverse students; and
- System-wide Improvement Grants -5 year grants designed to assist LEAs in improving, reforming, and upgrading all relevant programs and operations that serve linguistically and culturally diverse students on a district-wide basis.

Through Title VII, OBEMLA also has provided funding for crucial support activities that assist schools and school districts in carrying out direct services to students, including:

State Education Agency (SEA) Grants that allow SEAs to provide technical assistance to school districts and to collect data on the State's LEP population.

To increase the supply of teachers and educational personnel trained to serve LEP students, OBEMLA has funded professional development programs that promote integration into broader school curricula and reforms to improve the knowledge base and practices of educational personnel serving linguistically and culturally diverse students.

The four type of grants include:

- Training for All Teachers Grants -3 year grants designed to support activities to improve preservice and inservice professional development coursework to better reflect the instructional and assessment needs of LEP students. Program coursework must be developed to assist participants in meeting State and local certification requirements;
- Bilingual Education Teachers and Personnel Grants -5 year grants designed to develop or improve preservice and inservice professional development for bilingual education teachers, and other educational personnel. Program coursework must assist participants in meeting State and local certification requirements.
- Bilingual Education Career Ladder Programs Grants -5 year grants designed to upgrade the qualifications and skills of existing educational personnel to meet high professional standards including certification and licensure as bilingual education teachers and other educational personnel serving LEP students; and
- Graduate Fellowships in Bilingual Education - Fellowship awards for graduate studies related to the instruction of children and youth of limited English proficiency, as well as for the support of dissertation research related to such study. Eligible applicants are institutions of higher education. Individuals must apply to an IHE approved for participation in this program, not to the U.S. Department of Education.

In addition, OBEMLA awards Foreign Language Assistance Program Grants to help local educational agencies establish and improve foreign language instruction in elementary and secondary schools.

Finally, OBEMLA awards provides formula-funded grants to State Education Agencies through the Emergency Immigrant Education Act to help offset the costs that local educational agencies may experience due to large increases recently-arrived immigrant students.

The effectiveness of bilingual education has been questioned as a means to make it possible for linguistically diverse children to achieve the same challenging academic standards required of all children enrolled in America's schools.

The Department has found that a well-designed instructional program, using a student's native language (to varying degrees), designed and implemented at the local level, can be very effective in promoting English proficiency and subject area competence. Bilingual education programs aim to:

- help limited-English proficient students master English; and
- help limited-English proficient student's master challenging content in all areas of the curriculum.

A comprehensive evaluation of the Department's programs as they address the needs of bilingual students--especially Hispanic students-- was conducted in 1999 and concluded that many of the efforts that began as early as 1993 to address the needs of bilingual population have resulted in a greater number of students benefiting from the Department's programs.<sup>216</sup> For example, through and extensive web of outreach programs, the Department has been on the forefront of implementing a Hispanic Outreach Plan that is designed to improve the educational

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<sup>216</sup> U.S. Department of Education, FY 99/00 Annual Performance Report

achievement of Hispanic students through increased family involvement and community partnerships.<sup>217</sup>

The Department under the guidance of the Office of Intergovernmental and Interagency Affairs (OIIA) developed a comprehensive plan to address the education needs of the Hispanic community—the Hispanic Education Action Plan. It was a guide to investments and program-level changes designed to improve the educational achievement of Hispanics. The action plan included objectives, strategies for reaching these objectives, and performance indicators to measure progress.

In addition to increasing the federal investment in education programs serving Hispanic Americans, the action plan included a national public information campaign in coordination with Univision, a national Spanish television network. Univision would produce public service announcements on educational excellence and provide information on the resources that were available from the Department and local community organizations. The American Read Challenge and America Counts initiative, in partnership with the Office of Educational Research and Improvement developed a variety of materials to encourage Spanish-speaking parents and care-givers to become more actively involved in their children's early learning is intended to build awareness on the part of program managers of the need to reach out to the Hispanic community and to institutionalize programs.

Programs covered by the action plan and specifically targeted to assisting Hispanic students included Title I (ESEA) Grants to Local Educational Agencies (Migrant Even Start Programs, and inclusion standards for limited English proficient students in state-wide testing), 21<sup>st</sup> Century Community Learning Centers, Bilingual and Immigrant Education, , the High

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<sup>217</sup> *ibid.*

School Equivalency Program, the College Assistance Migrant Program, GEAR UP, TRIO, Adult Education and Developing Hispanic-Serving Institutions.

### **Vocational Education**

The Office of Vocational and Adult Education has had several important pieces of legislation signed into law throughout the Riley Administration.

In August of 1993, Secretary Riley and Secretary of Labor Robert Reich submitted the School to Work Opportunities Act of 1994 to Congress.<sup>218</sup> President Clinton signed this major administration initiative into law in May of 1994. The program provided support to States and communities to build high school learning systems that would prepare students for further education and careers.

School-to-Work (STW) was a means of attaining high academic standards through contextual, applied, and focused learning.<sup>219</sup> To help students direct their education, STW encouraged, among other things, exposure to a broad variety of career options -- starting with speakers and field trips in elementary school and progressing to academically connected internships in a high school student's field of interest. The underlying goal was to provide students with knowledge and skills that would allow them to opt for college, additional training, or a well-paying job directly out of high school.

The basic premise underlying the Act was that every student -- including the college-bound -- can benefit from learning about careers as well as being better prepared to pursue careers through learning by doing and applying abstract concepts to real-life situations. Students were given the opportunities to discover the careers that fit their interests and aptitudes. This type

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<sup>218</sup> See U.S. Department of Education, "Briefing on the Office of Vocational and Adult Education," Transition materials, 1993.

<sup>219</sup> 108 Stat. 568, Public Law 103-239, "School-to-Work Opportunities Act of 1994," May 4, 1994.

of learning would, it was believed, reduce the drifting and churning through low-wage jobs so common among young Americans.

The Act was the culmination of 15 years of research and experimentation with how students learn, and how classroom teaching can be linked to the workplace. In 2001, the law "sunset," with the expectation that locally designed school-to-work systems will be well on their way to becoming the norm in every State.<sup>220</sup>

To date, a modest investment has been made to realize the goals of the Act. In the 1994 fiscal year, \$100 million was appropriated from the Job Training Partnership Act and the Carl D. Perkins Vocational and Applied Technology Education Act to lay the groundwork for STW. After passage of the Act, \$245 million was appropriated in FY95, and \$350 million was appropriated in FY96.<sup>221</sup>

The Act was designed to be closely linked with the Goals 2000: Educate America Act, which provides a framework for State efforts to improve student academic achievement. School-to-Work (STW) complemented State academic-reform efforts by ensuring that both academic and occupational instruction were held to high standards. Goals 2000 also established the National Skill Standards Board (NSSB) that were responsible for facilitating the development and implementation of a nationwide system of voluntary occupational skill standards. STW systems were encouraged to use standards that were at least as challenging as those endorsed by the NSSB.<sup>222223</sup>

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<sup>220</sup> U.S. Department of Education, "Executive Summary School-to-Work Report to Congress Implementation of the School-to-Work Opportunities Act," 1996, pp. 1-8.

<sup>221</sup> U.S. Department of Education, "The Career Preparation Education Reform Act: Investing in America's Youth" a Prospectus, Washington, D.C., May 1995.

<sup>222</sup> U.S. Department of Education, "Executive Summary School-to-Work Report to Congress Implementation of the School-to-Work Opportunities Act," 1997, pp. 1-4.

<sup>223</sup> U.S. Department of Education, "Executive Summary 1998 Report to Congress on Implementation of the School-to-Work Opportunities Act," 1998, pp. 1-3.

STW linked education reform with workforce development and economic development, by engaging a broad range of stakeholders in designing and implementing a comprehensive, integrated system of education and workforce preparation that reflected local labor market needs. Welding together these links was essential so that all Americans can be employed and employable at good jobs in the 21st-century economy

Like most legislation, the STW Act required that initiatives funded through the Act be evaluated for progress and performance outcomes. Section 402 of the Act sets out goals and outcomes for STW programs nationwide.<sup>224</sup>

To assist states and localities in assessing whether they are meeting these goals, the National School-to-Work Office sponsors and supports a number of research and evaluation activities; coordinates communication between the states and local partnerships involved in implementing STW; maintains information and provides technical assistance through the STW Learning Center; and facilitates communication with the U.S. Departments of Education and Labor. The NSTWO is assisted in this work by the National School-to-Work Advisory Council.

In 1998, the Carl D. Perkins Vocational-Technical Education Act Amendments (Perkins III) of 1998 were signed into law by President Clinton. The central goals of this new vision was to improve student achievement and preparing students for postsecondary education, further learning, and careers. Specifically, the Act accomplished the following:

- Perkins III promoted reform, innovation, and continuous improvement in vocational and technical education to ensure that students acquired the skills and knowledge they needed to meet challenging State academic standards and industry-recognized skill standards, and to

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<sup>224</sup> See U.S. Department of Education, "National STW Evaluation," for a description of the evaluation objectives, 1999.

prepare for postsecondary education, further learning, and a wide range of opportunities in high-skill, high-wage careers.

- Perkins III supported the alignment of vocational and technical education with State and local efforts to reform secondary schools and improve postsecondary education. The implementation of the new law promised to make vocational and technical education programs an integral part of these efforts.
- Perkins III promoted the development of integrated, "one-stop" education and workforce development systems at the State and local level. The Act focused the Federal investment in vocational and technical education on high-quality programs.
- Perkins III created a State performance accountability system. The Secretary and States were required to reach agreement on annual levels of performance for a number of "core indicators" specified in the law.
- Perkins III reauthorized Tech-Prep, an important catalyst for secondary school reform and postsecondary education improvement efforts by promoting the use of work-based learning and new technologies in tech-prep programs which encourages partnerships with business, labor organizations, and institutions of higher education that award baccalaureate degrees.

Perkins III took effect in program year 2000. However, States were given a variety of options for implementing the new law during the first year.<sup>225</sup> States were asked to submit a new five-year plan; a one-year transitional plan; an amendment to a Perkins II State plan; a

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<sup>225</sup> McNeil, Patricia W., Program Memorandum—OVAE—99-2, "Guidance for FY 1999 State Plan Requirements," November 27, 1998, pp. 1-5.

consolidated plan that incorporates other Federal elementary and secondary education programs; or a unified plan that incorporates other Federal workforce development programs.<sup>226</sup>

The final major initiative pursued by OVAE was the Workforce Investment Act of 1998, which restructured employment training, adult education, and vocational rehabilitation program.

On August 7, 1998, the Workforce Investment Act of 1998 was signed into law and mandated a reform of Federal employment, adult education, and vocational rehabilitation programs to create an integrated, "one-stop" system of workforce investment and education activities for adults and youth.<sup>227</sup> Entities that would carry out the activities assisted under the Adult Education and Family Literacy Act became mandatory partners in this delivery system.<sup>228</sup>

Title I of WIA authorized workforce investment programs and activities that were administered by the Employment and Training Administration of the U.S. Department of Labor.

Title II of the Act required that family literacy programs be integrated to promote (1) interactive literacy activities between parent and child; (2) training in parenting activities; (3) literacy-training that leads to economic self-sufficiency; (4) age appropriate education to prepare children for success in school and life experiences.

The Department maintained cooperative and consultative relations with Federal, State and local agencies that provided these basic skills services. The purpose of the program was to provide educational opportunities for adults over the age of 16, not currently enrolled in school,

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<sup>226</sup> McNeil, Patricia W., Memorandum to State Directors of Adult Education and State Directors of Vocational Education regarding "Implementation of the Adult Education and Family Literacy Act and the Carl D. Perkins Vocational and Technical Education Act of 1998, pp. 1-3.

<sup>227</sup> See U.S. Department of Education, "Side-by-Side Comparison of Adult Education Act as Amended by the National Literacy Act of 1991 with the Adult Education and Family Literacy Act," Washington, D.C., October 3, 1998.

<sup>228</sup> See McNeil, Patricia, U.S. Department of Education, Memorandum to State Directors of Adult Education re: Responsibilities and Opportunities Created by Title I of the Workforce Investment Act of 1998." Washington, D.C., June 1, 1999.

who lacked a high school diploma or the basic skills to function effectively in the workplace and in their daily lives.<sup>229</sup>

Basic Grants to States were allocated by a formula based upon the number of adults, over age 16 and older, who had not completed high school in each State and who were not enrolled in school. States distributed funds to local providers through a competitive process based upon State-established funding criteria. The goal was to provide local programs that would provide basic skills and literacy. Local programs were offered through: local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public or private non-profit agencies, libraries, public housing authorities and institutions that have the ability to provide literacy services to adults and families and consortia of the agencies, organizations, institutions, libraries, or authorities described above.

Local programs of instruction emphasized the acquisition of basic skills including: reading, writing, computation, communication and problem solving. Courses on instruction included Adult Basic Education (ABE), Adult Secondary Education (ASE), and English Literacy (formerly English as a Second Language). The 1999-2000 Program Year budget for the Adult Education Basic Grants to States totaled \$365 million.

The National Program provided funding to enhance the quality of adult education and literacy programs nationwide. Current project include: a national study of "what works" for adults participating in English Literacy programs (formerly English as a Second Language), an evaluation of effective adult basic education programs and practices, a project to improve the effectiveness of the demonstration and staff development activities, three adult literacy

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<sup>229</sup> See various data charts prepared by U.S. Department of Education, "Adult Education: Human Investment Impact 1994-1998," Washington, D.C. 1998.

technology projects, development of a national reporting system, and support of local program implementation of program accountability provisions.

The Title II funds continued to authorize the National Institute for Literacy established under the National Literacy Act of 1991. The Institute's purpose was to improve and expand the system for the delivery of adult education and literacy services. National Program funding for Program Year 1999-2000 totaled \$14 million, \$6 million of which will support the National Institute for Literacy.

### **Taking the "Nation in Action" the Next Step: 2000 And Beyond**

#### **School Construction**

For the past four years the Department of Education and the White House have been actively working with Congress to pass legislation to help local districts repair, renovate, and modernize their schools. Recognizing the problems of increasing enrollments as a result of the baby boom echo, the urgent need for renovation and repairs to schools across the country the Department launched a massive school construction effort.<sup>230</sup>

Riley firmly believed that funding school construction should be a state and local responsibility.<sup>231</sup> However, he also believed that America was faced with a school facilities crisis and local governments were unable to fund their own construction and renovation programs. A case study conducted in Broward County, Florida estimated their immediate school construction needs at \$2.4 billion.<sup>232</sup> A tax referendum, conducted in the community in 1995 to increase the sales tax by one penny in order to raise \$1 billion for school construction, failed. The

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<sup>230</sup> Riley, Richard W., "Statement by Richard W. Riley U.S. Secretary of Education School Construction Press Conference," March 14, 1997 (Washington, D.C.).

<sup>231</sup> See U.S. Department of Education, "School Construction Initiative Questions and Answers," presented before the United States Congress, Washington, D.C., 2000.

Administration was willing to back a federal school construction funding effort based upon the fact that one-third of the nation's schools were in need of major repair or outright replacement and sixty percent were in need of major building repairs to fix sagging roofs or to repair cracked foundations.<sup>233</sup> Additional independently conducted studies concluded that the physical building conditions and overcrowding in local schools was having a major impact on student achievement.

As Secretary Riley stated, "What kind of message do children get when we send them to schools that are literally crumbling around their heads. They get the message that we don't care about them or their education."<sup>234</sup>

The Department first began working on the school construction initiative in 1996 by initiating a series of meetings with education stakeholders all over the country.<sup>235</sup> By March of 1997 the Department received hundreds of opinions on the needs for school infrastructure improvement and reacted by submitting to Congress the Partnership to Rebuild America's Schools Act of 1997. This would be the first of several school construction proposals.<sup>236</sup>

The bill would provide a one-time federal stimulus to help states and localities bring all public facilities up to acceptable standards and construct additional schools needed to serve increasing enrollments. The Republican majority in Congress identifying this legislation as a measure that would impede the sovereignty of state and local government, targeted it for defeat.

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<sup>232</sup> U.S. Department of Education, "Case Studies: Broward County/Ft. Lauderdale, et. al.," as prepared for a Congressional briefing on the School Construction Initiative, Washington, D.C., 2000.

<sup>233</sup> White House, Office of the Press Secretary, "Radio Address of the Vice-President to the Nation," Washington, D.C., March 15, 1997.

<sup>234</sup> U.S. Department of Education, "Impact of Inadequate School Facilities on Student Learning," briefing materials for Secretary Richard W. Riley, Washington, D.C., 1999.

<sup>235</sup> U.S. Department of Education, "School Construction Consultations Materials", Washington, D.C., 1996.

<sup>236</sup> See U.S. Department of Education letter to the Honorable Albert Gore, Jr. outlining the Partnership to Rebuild America's Schools Act of 1997, Washington, D.C., March 13, 1997.

Several months later, the 1997 Tax Relief Act was enacted and included several provisions that would give local governments the bonding authority to finance school rehabilitation and repair (Qualified Zone Academy Bonds (QZABs) ) as well as purchase equipment, development curriculum, and staff professional development programs. Unfortunately, the one element absent from the agreement was the ability of local school districts to use appropriated funds for the construction of new buildings.<sup>237</sup> Therefore, it was decided by senior advisers in the Department to continue pursuing appropriations for the QZAB program as well as a separate school construction program.

Tom Corwin, Director of the Department's Office of the Under Secretary noted in a memo to White House National Economic Council member Bob Shireman that the administration had four separate alternatives that they could pursue to seek continued funding of the school construction initiative.<sup>238</sup>

On January 5, 2000, the President began an intensive public relations and legislative campaign to insure that all schools would meet "high building standards." Followed by several outreach efforts by the Department, the goal was to educate local and state education administrators as to the importance of revitalizing their school facilities by participating in the QZAB program.

In April of 2000, the Department released the first of several comprehensive publications that provided a simple rationale for states' use of the QZAB program. The Department relied heavily on a National Center for Education Statistics study completed in 1999<sup>239</sup> which established that three-quarters of the schools in the United States needed to spend money on

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<sup>237</sup> See U.S. Department of Education, "Modernize Schools for 21<sup>st</sup> Century," briefing paper, Washington, D.C., April 9, 1998.

<sup>238</sup> Corwin, Tom, "Memorandum to Bob Shireman re: Options for School Construction Initiative," Washington, D.C., November 19, 1997.

repair, renovation, or modernization. The study, accompanied by the "Baby Boom Echo Report" and the launching of Building Better Schools week,<sup>240</sup> also indicated that as a result of rising enrollments that almost 25% of the nation's schools were overcrowded.<sup>241</sup>

Despite the overwhelming desire of both parties, and the public, to have Congress reach consensus on a school construction initiative, little was agreed to by the time both Houses of Congress adjourned. It seemed that the major stumbling block to approving a multi-billion dollar construction bill was the refusal by the Republican leadership to include a provision in a final form of the legislation that would require construction projects to pay the prevailing union wage under the Davis-Bacon Act. The Republican majority believed that paying a standard union wage would increase school construction costs and thus water down the impact of the proposed program. From a public relations perspective, this hard-line political stance made stronger the alliance between unions and the building trade associations who were fighting to have the school construction provisions included. Now that both sides were rigidly ensconced in their positions, the chances of reaching a compromise solution to the school construction dilemma were dwindling.

Having failed two years in a row, the Department geared up for what would be the last chance to establish a school construction program during the Clinton-Gore administration. The 2000 proposal would combine both a tax-side and an appropriations request option. The Department called for \$1.3 billion for loans and grants on the appropriations side and \$24.8 billion in tax credit bonds.

This year the Department increased in public relations effort and with the launching of the 5<sup>th</sup> annual Baby Boom Echo Report citing the growing enrollment rates around the country

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<sup>239</sup> See National Center for Education Statistics, "Condition of America's Public School Facilities: 1999."

<sup>240</sup> Riley, Richard W., The Secretary of Education, "Letter announcing Building Better Schools Week," July 2000.

held Building Better School Week in August 2000. In September of 2000, the Department released a state by state analysis of school construction, at a presidential radio address, highlighting the needs and benefits for school construction in each state.

Following a long drawn out battle the Department was able to secure the \$1.2 billion as part of the final Labor/HHS/Education appropriations bill. These monies would be used by local educational agencies for urgent school renovation, activities authorized under part B of the Individuals with Disabilities Education Act, technology activities related to school renovation, and charter school facility financing. Out of this total, nearly \$1.1 billion would be distributed to States based on Title I Local Education Agency grant shares, with a small State minimum of one-half of one percent. The remainder would be reserved for Indian districts, the outlying areas, and charter schools. Despite its bipartisan support, the tax credit bonds failed.<sup>242</sup>

### **International Programs**

Riley, recognizing that today's global economy offers unprecedented opportunities to those graduates of our schools and colleges felt that it was increasingly necessary to offer students the opportunity to complement their academic and career learning with the international skills that allow them to understand and work with people from other countries.<sup>243</sup> By focusing student learning on proficiency in more than one language, understanding the world's cultural diversity, and knowing how to use technology to access information from all over the world it was a strongly held belief that International education would help our students to compete in a broadening international market economy.

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<sup>241</sup> U.S. Department of Education, "Building Better Schools for America," Washington, D.C., October 2000, p. 1.

<sup>242</sup> See U.S. Department of Education, white paper titled "Pending School Renovation Agreement," Washington, D.C., December 2000.

<sup>243</sup> Riley, Richard W., "Remarks of the U. S. Secretary of Education Richard W. Riley The Growing Importance of International Education," Washington, D.C. April 19, 2000.

At the Department, International education was designed to encompass foreign language and cultural learning, study and internship abroad by U.S. students as well as by foreign students in the U.S., and international exchanges of students, professionals, and ideas in the classroom, in the workplace, and in the virtual world. International education also included learning about effective educational policies and practices abroad allowing for improvements in education at home. Additionally, programs were put into place in order to foster:

- Study and research abroad for U.S. citizens, as well as study and research in the U.S. by scholars and students from other countries.
- Teaching and learning about other countries and cultures in U.S. schools, colleges, and universities, including training U.S. experts in the economies, cultures, languages, politics, and histories of other nations, as well as sharing U.S. knowledge and culture with other countries.
- Teaching and learning of foreign languages by U.S. citizens, as well as the learning of English by those who live in other countries.
- Comparing U.S. educational progress to that of other nations, learning about foreign educational policies and practices that could help improve education at home, and sharing information on good practice to help other countries improve education for their citizens and achieve universal basic education.

Operating under the Office of Planning and Evaluation Services, the International Affairs (IA) staff coordinated the U.S. Department of Education's international efforts and advised the Secretary, Deputy Secretary, and other U.S. Department of Education officials on international matters that might affect U.S. education and/or Department policy.

Specifically, the International Affairs staff:

- served as a source of information on international education issues and events;
- helped to develop cooperative international activities in education with other nations;
- coordinated the U.S. Department of Education's participation in international organizations;
- provided information on the U.S. education system to foreign nationals and government officials;
- provided information on education policies and practices abroad;
- developed briefing materials and follow-up strategies for visits between foreign officials, the Secretary, and other U.S. Department of Education officials.

To mark the importance of developing productive relationships between the educational bodies in other countries, President Clinton signed a Presidential Proclamation of International Education Week, 2000. By doing so, the first opportunity to provide a global forum for promoting and celebrating the benefits of international education was created. A wide range of public and private-sector institutions and partners, including colleges and universities; primary and secondary schools; the diplomatic corps and international organizations; and businesses, NGOs and international organizations created and took part in activities designed to celebrate and promote international education and mutual understanding worldwide.

To promote an investment by institutions of higher learning in international education exchanges, several competitive grant programs were put into place under the Fund for Improvement in Post Secondary Education. They included:

- The Program for North American Mobility in Higher Education (North American Program - U.S. Canada, Mexico): a cooperative agreement by the governments of the United States, Canada, and Mexico. The program funded a collaborative consortia of at

least two academic institutions from two or more states or provinces in each country. The program was conceived in the spirit of the North American Free Trade Agreement (NAFTA) with principles based upon recommendations from the 1996 Guadalajara Conference, the 1993 Vancouver Communiqué, and the 1992 Wingspread Declaration for strengthened cooperation in higher education, research, and training among the US, Canada, and Mexico.

- The European Commission/United States Joint Consortia for Cooperation in Higher Education and Vocational Education (the EC-US Program): a cooperative agreement between the Department and the European Commission's Directorate General for Education and Culture. Each consortium consisted of at least three postsecondary institutions from three or more member states in each of the European Union countries and the United States. From 1995 to 2000, the US and the EC funded 53 consortia involving about 400 US and EC institutions. In December 2000, the United States and the European Union signed a five-year agreement to renew the Cooperation Program in Higher Education and Vocational Education and Training. In addition, the program also supported a small number of one-year preparatory projects and one- to two-year projects involving complementary activities.
- The US-Brazil Higher Education Consortia Program (US-Brazil Program): a cooperative agreement between the United States (through FIPSE) and Brazil. This program funded a collaborative consortia of at least two academic institutions from each country for four years. It reflects a bi-national collaboration between the United States and Brazil. A Memorandum of Understanding (MOU) formalized the education partnership between the two countries through 2003.

In May 2000, the U.S. Department of Education and the Brazilian Ministry of Education signed a "Letter of Intent" in São Paulo, Brazil, to "establish a bi-national Higher Education Consortia Program for university partnerships in October 1997."<sup>244</sup>

- The US-Denmark Higher Education Consortia Program (US-Denmark Program): a cooperative agreement between the United States (through FIPSE) and Denmark. This program funded a collaborative consortia of at least two academic institutions from each country for three years. Like the US-Brazil agreement, it reflects a bi-national collaboration between the United States and Denmark.<sup>245</sup>

These programs represent the Department's commitment to establishing a first-of-a-kind collaboration between the Department and foreign government agencies to fund and coordinate federal education grant programs. These programs fostered student exchanges within the context of multilateral curricular development and enabled students to "internationalize" their studies through curricular innovation and study abroad.

Over the past five years, the EC-US Program and the North American Program have involved over 600 institutions in Europe and North America. Through funding from FIPSE and its foreign government counterparts, these programs have helped over 2000 students study in their discipline in another country, often in a foreign language. Many more students have been impacted by the changes to the curricula at their home institutions that have come about through collaboration among the participating institutions.

These innovative programs address the internationalization of higher education on a number of fronts: multilateral, multi-institutional collaboration; student mobility; mutual recognition of

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<sup>244</sup> U.S. Department of Education, "Memorandum of Understanding on Education Between the Government of the United States of America and the Government of the Federative Republic of Brazil," copy, October 14, 1997.

<sup>245</sup> U.S. Department of Education, "Memorandum of Understanding on Education Between the Government of the United States of America and the Government of Denmark," Washington, D.C. 2000.

credits and study activities; development of shared and/or common curricula; acquisition of host country languages; development of apprenticeships and other work activities; and faculty and staff cooperation and exchange. Curricular integration impacts both "mobile" students studying abroad and students studying at their home institutions.

## **EDUCATION LANDMARKS:**

### **MANAGEMENT REFORMS TO EFFECT POSITIVE CHANGE**

#### **Making a "Nation on the Move" Work—Management Reforms**

Created in 1979, the Department of Education is one of the youngest and smallest Cabinet-level Departments. Its 5,000 employees fulfill a diverse mission: (1) to provide financial aid for education and monitor its use, (2) to fund and pursue education-related research and information dissemination, (3) to ensure equal access to education and enforce federal statutes prohibiting discrimination in federally funded programs and activities, and (4) to provide national leadership in identifying and focusing attention on major educational issues and problems. Historically, however, federal leadership and policy leverage have been significant, particularly in securing equal access to educational opportunities for all Americans.

Between 1980 and 1992, the Department found that fulfilling its mission to be an increasingly difficult task. While its staff steadily decreased, its workload grew.

The Department was attempting to administer nearly 200 separate programs that provides federal funds to states and localities for programs designed to educate disadvantaged children, help the disabled, and finance the higher education of young Americans. Between 1980

and 1991 the agency budget increased from \$15 billion to \$27 billion annually. The Department was hit harder by the reductions-in-force of the 1980s than any other Cabinet Department.

In 1991, the Department's staff consisted of 5,000 individuals organized into 13 headquarters offices and 10 regional offices. Three of the 13 headquarters offices accounted for approximately 92 percent of the Department's fiscal year 1991 budget. However, the Department's use of full-time-equivalent (FTE) employees had declined 33 percent from its fiscal year 1981 level.<sup>246</sup> At the same time, during this period, the Congress gave the Department responsibility for 70 new federal programs. In addition the number of grants and contracts awarded by the Department grew and civil rights complaints filed with it reached the highest levels in the Department's history.

The Department's strategic and operational management problems were well documented by the General Accounting Office (GAO), the Office of Management and Budget (OMB), the Department's Inspector General, congressional committees, and many internal reports and task forces. It was suggested during the 1988 transition period that the Secretary establish a strategic management process.<sup>247</sup> A study completed in June 1989 by OMB established a High Risk List identifying areas in the federal government vulnerable to fraud, waste, and abuse. The Department was pinpointed as one of the worst offenders.

Specifically, OMB identified three areas of fiscal concern: (1) the awarding of unnecessary and poorly defined grants, (2) monitoring that is not comprehensive enough to assure that recipients comply with grant terms and conditions, and (3) failing to close out expired grants in a timely and proper manner so as to prevent the possibility of unauthorized use of unexpended funds by grant recipients. Additionally, OMB identified the Department's lack of

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<sup>246</sup> General Accounting Office, Department of Education Long-Standing Management Problems Hamper Reforms, May 1993, p. 4.

suspension and debarment procedures for ineffective or fraudulent employees as a high-risk area given that other agencies easily agreed to regulations.

In reaction, but years later, the Department adopted amended regulations to comply with a GAO objective. This enabled the Secretary to set major goals and priorities, monitor progress against those goals, and provide feedback to senior agency managers. It also allowed the Secretary to systematically correct and improve the Department's management system.

In July of 1990, a letter was forwarded to Congress from the Human Resources Division of the GAO. The letter asked for a review of the Department's actions to correct weaknesses in its management or discretionary grants programs. The Department responded by creating a management-by-objectives plan that was submitted to OMB in fiscal year 1990.

In August of 1991, the GAO, again, issued a directive to the Secretary indicating that the Department-wide planning effort had not been undertaken. While there was an emphasis placed on establishing a policy concept that clearly articulated priorities of the administration, the lack of decision-making, information flow, and resource allocation plans clearly was hampering a progressive movement by the Department.

Exacerbating the work load problems were the Department's culture and negative self-image. Leadership prior to Riley did not enhance the self-image; the first Secretary of Education had only a few months in which to try and organize the Department before a new administration took office. The next Secretary made dismantling the Department a formal goal and did not request a budget for it in fiscal years 1983 and 1984. Subsequent Secretaries focused on external policy agendas, devoting little attention to Departmental management. Coupled with excessive politicization of the agency by previous administrations the management structure of the agency made the organization ripe for abolition.

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<sup>247</sup> General Accounting Office, Education Issues: Transition Series, December 1992.

Add to it the difficulties that existed in trying to attract high-quality Assistant Secretaries,<sup>248</sup> the placement of poorly trained managers in key technical and policy-making positions, and a greater proportion of political appointees than any other Department and the resulting void in management stability became readily apparent. Even when problems surfaced and the Department's staff and senior officials proposed solutions, in-house technical expertise was often ignored and implementation of planned solutions was rarely tracked. This occurred, for example, when the Department decided to let a long-term contract to improve the financial information systems.

In 1989, staff wrote a request for proposal that reached the final stage of bid review; action on the project was stopped when a new Deputy Under Secretary for Management was appointed. It was not until 1992 that a new effort was initiated. Add to that the rapid turn over of three Deputy Assistant Secretaries in the 18-month period between January 1991 and July 1992 and it was no wonder that as of March 1993, the position was vacant.

Lacking continuous, qualified leadership the Department severely hampered the successful implementation of fundamental managerial reforms recommended by the joint OMB/Department of Education task force in 1991.<sup>249</sup> In particular, the OMB/Department of Education task force recommended that the Deputy Assistant Secretary for Student Financial Assistance be an "extremely well-qualified person...available for the long-haul." The first appointee, under the Alexander administration, had no background in loans or student financial assistance. He abruptly resigned after 7 months. The next appointee, while qualified, left the Department after 5 months. The GAO reviewed the Department's information resources management (IRM) and concluded that the Department's senior officials

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<sup>248</sup> See chapter 4, "Staffing Reagan's Titanic," in The Thirteenth Man by Terrel H. Bell (NY: The Free Press, 1988).

<sup>249</sup> OMB/ED, Improving Guaranteed Student Loan Management: A Blueprint for Action, April 1991.

"have not been involved in strategic IRM planning, and they failed to (1) establish a vision of how information technology can support the Department's mission and information needs and (2) initiate an agency-wide information planning process that identifies the information needs of various programs."<sup>250</sup>

The GAO report found that earlier attempt to improve management had failed for three basic reasons: (1) they were not supported by the Department's senior political leadership, (2) career managers were not sufficiently involved, and (3) they often occurred in isolated offices and were not connected to Department-wide strategies.

Now, the Riley administration was faced with the daunting task of turning around the public perception of a government entity that was inefficient and of questionable utility. The first response was to create an Executive Management Committee, composed of primarily senior political appointees charged to set overall management policy and direction for the Department.

The second step was to create a Reinvention Coordinating Council composed of senior political and career officials as well as union officials, which identified and carried out Department-wide strategies for management reform. The resulting cross-cutting quality improvement initiatives were broad based and effective and could be utilized as the foundation for developing the specific strategic plan required by law and practically necessary.<sup>251</sup>

To guide this effort the Riley administration drew up and put into place the Department's first strategic plan.

It had been suggested during the 1988 transition period that the Secretary of Education be responsible for establishing a strategic management plan.<sup>252</sup> This, it was believed, would enable the Secretary to set major goals and priorities, monitor progress against those goals, and provide

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<sup>250</sup> General Accounting Office, Department of Education: Information Management and Technology Division, April 20, 1992, p. 1.

<sup>251</sup> Kunin, Madeleine M. Statement by Madeleine M. Kunin, Deputy Secretary on Management Improvements at the Department of Education before the House Subcommittee on Labor-HHS-Education Appropriations, May 16, 1996.

<sup>252</sup> General Accounting Office, Education Issues: Transition Series, December 1992.

feedback to senior agency managers. It would also allow the Secretary to systematically correct and improve the Department's management system by creating a well-defined game plan.

However, the recommendation was never followed and the result was an exacerbated work-load problem that reflected itself in the Department's culture and negative self image.

The mismanagement of the Department and lack of leadership prior to 1993 took a terrible toll. In FY 1991, the student loan default rate was 22.4%. At the same time, a looming shortfall of over \$2 billion was projected for the Pell Grant program. The Department was severely hampered in its ability to perform its mission by its long history of failing to invest in infrastructure, training and computer sciences.

The first weak attempt to draw up a management-by-objectives plan was completed and submitted to OMB in fiscal year 1990. However, in August 1991 a GAO review of the plan indicated that the proposed changes in the management structure of the Department were insufficient and lacked decision-making, information flow, and resource allocation plans which would clearly be necessary for creating a progressive movement by the Department.

Therefore, the Department under the leadership of Secretary Riley was the first to develop a workable and widely accepted strategic plan.<sup>253</sup> The Department hired Don Wurtz, the chief GAO investigator and author of the 1993 report that had been critical of the management structure and efficiency of the Department, as its Chief Financial Officer. He would be responsible for rebuilding and streamlining the Department's managerial system and start the

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<sup>253</sup>Smith, Marshall S., Under Secretary U.S. Department of Education, Testimony before the Committee on Government Reform and Oversight Subcommittee on Government Management, Information and Technology, May 23, 1995.

transformation of the Department into a high performance organization to provided experience at both plan development and implementation of key priorities.<sup>254</sup>

David Kearns, former Deputy Secretary to the Department and Chief Executive Officer of Xerox, recognized the problems inherited from the previous administration and began to implement management techniques that had been successful at Xerox. Under the direction of current Deputy Secretary and former Governor Madeleine Kunin, the Department set itself to the goal of turning around the management problems by listening to customers' concerns, focusing on the critical mission through strategic planning, and using the strategic plan to transform the way the Department functioned.<sup>255</sup>

The result was a model leadership program that reflected in the Department's commitment to the guidelines of the Government Performance and Results Act (GPRA) which had been put into place as a result of Vice President Gore's National Performance Review completed in 1993. The plan set ambitious targets for performance in each of four areas. To gauge their success the strategic plan focused upon five major performance indicators:

- (1) streamlining programs to save taxpayers' money
- (2) transforming the management structure to make it more efficient and effective;
- (3) cutting regulations
- (4) cutting paperwork
- (5) providing increased flexibility for states, districts, schools, and other customers.

The years 1993 through 1995 saw measurable changes in the way the Department conducted business.<sup>256</sup> However, the accomplishments realized as a result of implementing the strategic plan were overshadowed by some members of Congress seeking to eliminate the

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<sup>254</sup> U.S. Department of Education, "Strategic Plan for the U.S. Department of Education: Working Document 1994," 1994.

<sup>255</sup> Kunin, Madeleine M. Deputy Secretary, Statement by Madeleine M. Kunin Deputy Secretary on Management Improvements at the Department of Education before the House Subcommittee on Labor-HHS-Education Appropriation, May 16, 1996.

<sup>256</sup> Ibid.

Department as a cabinet level agency.<sup>257</sup> Testifying before the House Government Reform and Oversight Committee, the Secretary clearly articulated the numerous reforms that were undertaken during the first term and the resultant financial savings that had been realized<sup>258</sup>

Under Secretary Marshall S. Smith further expounded upon these accomplishments and provided more exacting detail of the management initiatives.<sup>259</sup>

Cited as major landmarks of management improvement were (1) the elimination of 64 programs totaling more than \$700 million; (2) decreasing the full-time staff from the 1992 full-time staffing level of 4,927 to a 1997 level of 4,613; (3) eliminating, reinventing or simplifying almost 2,000 pages of Department regulations; (4) reducing the paperwork burden for schools, students, parents, states and other customers by 10% and allowing new technologies to be used for collecting and exchanging information; (5) providing one-stop shopping for information on student loans and grants through the expansion of the Department's communication technology, publication, and program announcement mediums; (6) A more effective Department of Education to serve the public in the area of loan collection; (7) providing more accurate and direct student loan service; (8) ensuring that taxpayers and students received their money's worth by monitoring school financial aid programs and eliminating those institutions from participating that were inefficient; (9) providing well focused and accurate research and statistical information; (10) developing performance indicators supported through program evaluations, national assessments, and grantee reporting systems that will help to gauge future performance

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<sup>257</sup> Smith, Mike and Wurtzel, Judy, "Memorandum to Deputy Secretaries re: General Questions and Answers on Issues Affecting the Department," February 8, 1995 for specific justifications provided by the Secretary to the Appropriations and Economic and Education Empowerment Committees.

<sup>258</sup> Riley, Richard W. Statement of Richard W. Riley, U.S. Secretary of Education before the Subcommittee on Human Resources and Intergovernmental Affairs of the House Committee on Government Reform and Oversight, March 13, 1995.

<sup>259</sup> Smith, Marshall S., Under Secretary U.S. Department of Education, Testimony before the Committee on Government Reform and Oversight Subcommittee on Government Management, Information and Technology, May 23, 1995.

and guide improvement; and (11) developing new employee-management partnerships to strengthen Labor-Management efforts to work together to achieve better results.<sup>260</sup>

Similarly, in 1998 during a review of the 1994-1998 strategic plan it was noted that the had entered into an increased number of public/private partnerships that were entered into in the previous four years and the value to the overall effectiveness of the Department.

Specifically, the report cited:

- Increased flexibility for states resulting the granting of over 200 waivers that would give communities the flexibility they desired while increasing the accountability for results as established in Goals 2000, School-to-Work and the reauthorized Elementary and Secondary Education Act (ESEA).
- Increased participation by over 3,000 organizations via the "Partnership for Family Involvement in Education" programs that would bring schools, families, communities, religious organizations, and employers to work together.
- Improved grassroots community literacy initiatives like READ\*WRITE\*NOW, that links tutors with children who need help learning to read.

In 1997, the Department released a second strategic plan, covering the years 1998-2002, which responded to many of the concerns raised in the earlier review.

By 1999, the Department began to develop a plan that would carry the agency to 2005. The mission was unchanged. The objectives that would need to be met to achieve the Department's mission fine tuned many of the previous changes that had occurred in the Department's management plan. A draft plan was put together by the Office of Management to incorporate new policy directions for the Department's leadership and findings from a variety of supporting documents including:

- President Clinton's Call to Action for American Education
- Secretary Riley's Seven Priorities for the Department of Education
- An update to the Department's first plan prepared by Department Assistant Secretaries.
- Program indicator plans developed by most major programs in the Department.

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<sup>260</sup> U.S. Department of Education, Statement by Marshall S. Smith, Under Secretary on "Management Improvements at the Department of Education," April 9, 1997.

- Several reports by the GAO on further management reforms needed
- FY 93, 96, and 1999 employee surveys
- A variety of program evaluations, assessments, and statistical reports.

Specifically, the draft strategic plan identified six objectives to help make the Department a high performance organization:

- Insure that the Department of Education customers receive fast, seamless service and dissemination of high-quality information and products.
- Develop, maintain and disseminate and up-to-date knowledge base to support education reform and equitable education opportunities.
- Make information technology investments to improve mission effectiveness, efficiency and information security.
- Recruit and retain a workforce that is skilled, diverse, and committed to excellence.
- Manage programs and services to insure financial integrity.
- Maintain the Department as a performance-driven agency.<sup>261</sup>

As a result of the development and implementation of a series of effective strategic plans, numerous management accomplishments were made.<sup>262</sup> In fact, the Department has saved the taxpayers over \$18 billion in the last seven years, student loan default rates have been reduced from 22.4% to 6.9% resulting in a \$7 billion savings,<sup>263</sup> access to college has increased by developing a Direct Student Loan program that has saved the taxpayers over \$ 4 billion, staff efficiency has increased resulting in fewer employees taking on the responsibilities of new programs, created the first performance-based organization in the federal government responsible for implementing flexibility, technical expertise, incentives for high performance, and accountability for results within the Student Financial Assistance programs, and customer service has improved dramatically as a result of massive changes in technology resulting in recognition from several independent surveys of Customer Service satisfaction.

<sup>261</sup> See U.S. Department of Education, "Draft Strategic Plan 2001-2005," 2000, p. 11.

<sup>262</sup> Riley, Richard W., U.S. Secretary of Education, "Remarks as prepared for delivery before the House Education and Workforce Committee," October 25, 2000.

<sup>263</sup> Riley, Richard W., U. S Secretary of Education, "Statement on the Student Loan Default Rate," Washington, D.C., October 2, 2000.

Today the Office of Management develops, coordinates, and implements all internal administrative matters relating to personnel, budget, financial management, contracts, facilities, and support services. Within the Office of Management are several work groups that work to meet the individual needs of the employees and the Department's mission. They include:

- The Equal Employment Opportunity Group responsible for administering the Department's EEO program and develops equal employment programs and policies pertaining to special groups (minorities, women, and persons with disabilities).
- The Family Policy Compliance Group responsible for administering two laws related to parental and student rights: the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendments (PPRA).
- The Health and Environmental Safety Group is responsible for providing services designed to make the Department a safe and healthy workplace for all employees; promote their physical, mental, and social well-being; and provide wellness programs which may enhance employee productivity and effectiveness.
- The Office of Hearings and Appeals provides independent forums for the impartial, fair, equitable, and timely resolution of disputes involving the U.S. Department of Education and recipients of federal education funds.
- The Human Resources Group provides leadership and direction in the formulation and implementation of policies and programs to promote efficient and effective personnel management. The Group represents the Department on personnel matters with the Office of Personnel Management (OPM), the Congress, other Federal agencies, and the public.

- The Labor Relations Group provides appropriate advisory services and technical assistance to its customers that are designed to promote the development and maintenance of constructive relationships and partnership between labor and management.
- The Management Systems Improvement Group provides consulting services and assistance to its customers in the development of their strategies, policies, processes, and organization to accomplish their goal of organizational excellence in keeping with the principles of the Department's strategic plan and reinvention efforts.
- The Quality Workplace Group plans, establishes, directs, controls, and implements policies, standards, and procedures governing all aspects of the following functions: space planning and management, facility management, physical security, property management and inventory, supply management, motor vehicle and transportation operations, mail services, parking services, photocopy services, and audiovisual services.
- The Federal Real Property Group administers the Federal Real Property Assistance Program (FRPA), a legislatively-mandated activity involving the sale of surplus Federal property to State, local, and private educational institutions pursuant to the authorities contained in the Federal Property and Administrative Services Act of 1949, as amended.
- The Training and Development Group provides Department employees with equal access to high quality education in support of the Department's strategic goal of transforming itself into a high-performing organization where learning is valued and self-improvement is continuous.

## The Effects of Management Reforms

The changes in the management plan of the Department are reflected throughout the agency in every office, directive, legislative initiative, and grant program. To highlight the reforms, short of repeating all of the accomplishments of the Riley administration, we have chosen to focus upon three areas—financial services, human resources, and technology development-- that were key policy objectives specifically impacted by effective implementation of the Department's strategic plan.

### Financial Management<sup>264</sup>

Through the development of new systems and procedures and by resolving longstanding financial weaknesses, the Department invested in the long-term financial health of the agency. Specifically, the Department:

- Implemented a new financial management system, the Educational Central Automated Processing System (EDCAPS) to replace several stand-alone systems for the functions of financial management, contracts and purchasing, grants administration, and payment management.<sup>265</sup>
- Increased the Department's reconciliation with the Department of Treasury to a monthly system.
- Improved auditor's concerns to improve data underlying loan estimates, strengthening financial reporting, and moving to improve computer security.<sup>266</sup>

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<sup>264</sup> See a copy of questions and answers submitted by the United States Congress to Secretary of Education Richard W. Riley entitled "Q & A on Financial Management Issues," September 1, 2000.

<sup>265</sup> U.S. Department of Education, "Fact Sheet on Department of Education Financial Management," Washington, D.C. October 29, 1999.

<sup>266</sup> U. S. Department of Education, Statement by Marshall S. Smith, Acting Deputy Secretary before the Subcommittee on Postsecondary Education, Training, and Life-Long Learning, U.S. House of Representatives Committee on Education and the Workforce on "The William D. Ford Direct Loan Consolidation Program," September 18, 1997.

- Acquired a new general ledger system to provide improved budget execution, financial reporting, integration with Department financial systems, and year-end closing of the Department's books.<sup>267</sup>
- Confirmed that over 99 percent of the fiscal year 1996 appropriations for 10 of the largest K-12 education programs reached the states.
- Administered over \$6 million in grants and loans per employee, the highest ratio of any federal agency. The Department also employs one-third fewer employees than it did in 1980 even though the budgets for investments in students, schools, and colleges has doubled.
- Stabilized the student aid programs by instituting a performance-based organization to administer the student aid programs. The PBO design provided greater flexibility in managing personnel and procuring goods and services, new incentives for high performance, and accountability for results.<sup>268</sup>

## Human Resources

On March 13, 1998, President Clinton signed Executive Order 13078 which directed federal agencies to work together in order to increase the employment rate of persons with disabilities. The Department has taken a leading role in this effort by chairing the Full Committee of the Presidential Task Force on Employment of Adults with Disabilities, as well as co-chairing the Youth Subcommittee.<sup>269</sup> Aligned with the Task Force activities, the Department

<sup>267</sup> Holleman, Frank S., III, Deputy Secretary U.S. Department of Education, "Prepared Testimony before the Subcommittee on Oversight and Investigations Committee on Education and the Workforce," U.S. House of Representatives, September 19, 2000.

<sup>268</sup> U.S. Department of Education, Statement by Marshall S. Smith, Acting Deputy Secretary before the Labor, Health, and Human Services, Education and Related Agencies Committee on Appropriations U.S. House of Representatives on the Department of Education's Fiscal Year 2000 Budget Request for Management, Washington, D.C., March 23, 1999.

<sup>269</sup> Report from the Subcommittee on Expanding Employment Opportunities for Young People with Disabilities. (Washington, DC: Author, 2000).

coordinated a National Transition Summit to explore policy options for improving the transition results for young people with disabilities, and established a five year youth leadership program focusing on increasing education and employment opportunities.

In 1993 a Disability Work Group on the Recruitment, Advancement and Access for People with Disabilities was created at the Department. The team evaluated the Education Department's policies and practices for compliance with Section 504 of the Rehabilitation Act. Numerous recommendations were made and implemented to strengthen policies covering accessibility, facilities, alternate formatting of materials, technology and training.

Among the changes were an increased emphasis on employing people with disabilities and the hiring of a 504 coordinator in the Office of Management. A Work Force Recruitment Program for College Students with Disabilities has helped employ substantial numbers of students with disabilities each summer. For some grant competitions, preference points are awarded for applicants who identify positive efforts they will take to hire individuals with disabilities to administer the project. With such activities, the Department has substantially increased the number of persons with disabilities in the Department, and is firmly committed to achieving the Administration's goal of hiring 100 thousand new employees with disabilities.

Beyond hiring issues, the Education Department has strived to help its disabled workers and customers in other ways. Some of the changes:

- Establishment of a Department-managed Alternate Format Center to provide employees and customers with print materials in alternate format (Braille, audiotape and diskette)
- Creation of a Department-wide central pool of funds to directly support reasonable accommodations hires for individuals with disabilities.

- Development of a disability awareness training course for all employees that has become part of the Department's 20 hours of core-curriculum training for managers.
- Development of a handbook and policy guide for employees and managers covering policies and procedures on providing reasonable accommodations for employees with disabilities.

The Department has also established an interagency collaboration group to increase the numbers of students with disabilities who graduate from college and secure high-end employment. A demonstration program was also launched to increase graduation rates for students with disabilities through faculty development.

In response to a directive from the President, the Department has been very active in monitoring and implementing changes in the area of diversity. Assistant Secretary Heumann hosted several listening and facilitated forums with staff. She also created the Diversity Committee whose membership of eight staff eventually increased to twenty members. In addition, the Committee members sponsored monthly speakers' series in conjunction with the Department's Race Initiative Work Group. Diverse speakers with disabilities explored issues that they face in their non-disabled communities. The Diversity Committee members also examined concerns from staff, such as equitable promotion and retention practices, evaluation systems used by the Department, and fair distribution of in-service and travel funds.

### **Improving Customer Service<sup>270</sup>**

Between 1993 and the present, there were several measures put into place to improve customer service: reduced regulations and paperwork, increased processing of waivers, establishment of ED Pubs for a one-stop service center to request free of charge Department

publications, access to the Free Application for Federal Student Aid (FAFSA) on the Web, and access to a clearinghouse of ideas and best practices for families and teachers via two toll-free phone numbers.<sup>271</sup>

The goal of this Administration's management initiatives--from leveraging technology for effective communication and case management to providing staff with enhanced training opportunities -- has been to ensure that all work make a positive impact on students' lives. By using "positive impact" as a touchstone, the management initiatives mentioned below created an increased capacity to provide students with timely and effective access to equal educational opportunities.

The 1993 OCR Strategic Plan<sup>272</sup> outlined the visionary goals and objectives that transformed OCR from a complaint-driven, reactive organization to an organization with a balanced, preventive enforcement program. The linchpin of the Plan was the commitment to use 40% of OCR's resources for proactive activities. These activities included priority policy development; high impact compliance reviews; and targeted technical assistance.

At the time that the Strategic Plan was implemented in FY 1993, many of OCR's 854 staff were busy responding to complaints, about half of which were disability based. By FY 2000, using an approach that balanced complaints with priority policy development, technical assistance, and high impact proactive activities, OCR has significantly enlarged the number and types of students impacted by its program. Today, while responding to a complaint workload that is still over 50% disability based, OCR ensures that a much larger group of students are served at a staffing level of approximately 709, significantly below FY 1993. Moreover, while receiving

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<sup>270</sup> U.S. Department of Education, Prepared Testimony of Frank S. Holleman, III, Deputy Secretary before the Subcommittee on Oversight and Investigations Committee on Education and the Workforce, U.S. House of Representatives, March 1, 2000.

<sup>271</sup> U.S. Department of Education, "Talking Points on Department Management," December 13, 1999.

on average approximately 5000 complaints a year over the last 8 years, OCR has achieved significant efficiencies with significantly fewer staff resources. OCR is also providing more timely and more effective intervention. For example, because of OCR's efforts, many more students who are English language learners are receiving appropriate language services, more students have access to athletic opportunity, more minority students have gained equal access to gifted and talented programs, and fewer minority students are inappropriately placed in special education.<sup>272</sup>

The Office of Civil Rights is just one excellent example of the fundamental re-engineering that has taken place within the Department to respond to complaints. In September 1994, OCR issued a Case Resolution Manual (CRM) to provide field staff with the tools to accomplish the agency's mission promptly and effectively.<sup>274</sup> The CRM, unlike its predecessor, the Investigative Procedures Manual, offers flexible resolution approaches to resolving allegations of discrimination. It provides a variety of resolution approaches, including mediated settlement, which can be used under varying circumstances.

The CRM places emphasis on effective change for students rather than on document production. Like all of OCR's reinvention efforts, it offers flexibility, not rigid rules, so students can be served more effectively. In February 1999, the General Accounting Office (GAO) issued a report acknowledging improvements in OCR's operations between 1993 and 1997.<sup>273</sup> The GAO Report confirmed that the flexibility of complaint processing introduced in the CRM enabled OCR to resolve complaints more quickly, process a greater number of complaints, and reduce the backlog of unresolved complaints at the end of each year.

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<sup>272</sup> OCR Strategic Plan 1993 - 2000

<sup>273</sup> OCR Annual Reports to Congress FY 1993 - 2000

<sup>274</sup> OCR Case Resolution Manual

To provide heightened service to the customer, OCR increased its training budget. Between FY 1992 and FY 2000, increased discretionary spending [not including the common support assessment for the Department's Training and Development Center], and improved staff training by almost 200 %.<sup>276</sup>

One of the primary complaints that was made about the Department in 1993 revolved around the slow pace at which civil rights complaints were adjudicated. From the beginning, Riley made it a point to see that improved communication and processing channels were put into place in order to resolve violations of civil rights laws. The goal of OCR was that formal enforcement proceedings would only begin when all other alternatives to reach a resolution had failed.

By FY 2000, OCR took 1 case to administrative enforcement action. None were referred to Department of Justice for judicial enforcement. All but 2 cases out of more than 6,340 complaints and 100 proactive reviews or 6,440 cases in total were resolved short of fund termination.

From the very beginning, Riley believed in a team approach to accomplishing tasks. As a result, a great deal of restructuring occurred throughout the agency. For example, in September 1995 a proposal for restructuring of senior management was approved and implemented.<sup>277</sup> The OCR reorganized into three headquarters components [Office of the Assistant Secretary, Program Legal Group, and Resource Management Group] and four Enforcement Divisions, each with 3 enforcement offices, reporting to two career SES managers.<sup>278</sup> Organizing into four large

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<sup>275</sup> GAO Report B-281748, Department of Education: Resolving Discrimination Complaints Has Improved with New Processing System, March 23, 1999

<sup>276</sup> OCR Budget Chart FYs 1992 - 2000

<sup>277</sup> Memorandum from Norma v. Cantú to Rod McCowan, Subject: Office for Civil Rights Senior Management Restructuring Proposal, September 8, 1995

<sup>278</sup> FY 2001 OCR Organizational Chart

units instead of 12 individual offices allowed OCR the flexibility it needed to address the allocation of diminishing resources with increasing workload.

Shortly following the senior management restructuring proposal, OCR restructured headquarters and the field offices, reducing the size of headquarters by half, and creating a Washington, D.C. field office. Post-reorganization, 12% of OCR's staff remained in headquarters with 88% of OCR's staff in the field conducting the core business of the agency. Approximately the same ratio of headquarters to field staff remains in place today.<sup>279</sup>

Each field office was reorganized into investigative teams with oversight from a small management unit. OCR's office structures have been flattened by shifting to a team model that reduces layers of review and increases the level of responsibility assumed by staff directly involved in cases, resulting in better service to OCR customers. Administrative and attorney staff that had formerly been in separate units were integrated into the team structure, decreasing the level of hierarchical review necessary to move a case to resolution. OCR's new way of doing business also enabled field staff who were closer to the front-lines to become involved in policy and litigation initiatives that had been almost exclusively under headquarters' purview. OCR's operational improvement efforts were so successful that three offices—New York, Kansas City, and Cleveland—received the Vice President's Heroes of Reinvention (Hammer) Award, in recognition of OCR's significant contributions to the streamlining and improvement of government. The awards recognized OCR's work in resolving discrimination complaints, developing partnerships with stakeholders, and improving customer service.

Several working groups were formed to increase organizational knowledge. These communities of interest, called Issue Networks, were composed of staff from throughout the

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<sup>279</sup> Memorandum from Cathy H. Lewis to OCR headquarters staff, Subject: OCR Headquarters and Metro Reorganization Proposals, October 17, 1995

agency.<sup>280</sup> Each Network maintained a site on the OCR's Intranet. Network members consult freely with staff throughout the agency, conduct teleconferences on topics of interest, and share technical assistance and policy documents. The networks have proven extremely effective as they facilitate the free exchange of knowledge throughout the agency with none of the impediments of a stovepipe structure.

In 1995, each Enforcement Division collaborated on a multi-year docket of proactive initiatives to ensure that 40% of OCR's resources are used on work that is "proactive" or agency initiated.<sup>281</sup> The Enforcement Docket expands OCR's notion of "case" beyond the traditional compliance review. It allows a broader range of strategies, such as partnership and targeted technical assistance, for making a positive impact in the lives of students facing discrimination.

By talking to stakeholders, researching media for information on civil rights concerns, and analyzing relevant information, the Divisions identify issues for their proactive dockets specific to each area of the country. The dockets are shared with all Enforcement Divisions, to identify common areas of concern, such as the disproportionate representation of minorities in special education and ensuring the provision of sound educational programs for English language learners.

Today's complex educational challenges require that OCR acquire and maintain expertise in the educational implications surrounding the civil rights issues. Equity and educational excellence are complementary, not competing, goals. Accordingly, a record amount of funds were allocated for hiring educational consultants to advise on information collection and analysis or the preparation of policy guidance. The consultants help OCR craft resolution agreements and technical assistance documents that promote both equal access and education excellence. In FY

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<sup>280</sup> Memorandum dated August 22, 1996, Subject: Issue Facilitators and Building our External Networks

<sup>281</sup> Memorandum dated March 1, 1995, Subject: Development of the FY 1996 Enforcement docket

1993, there was no money budgeted for consultants; by FY 2000 OCR was budgeting \$200,000 for consultant services.<sup>282</sup> All of the documents and "best practices" used in any field office are now electronically available to all of the others. By FY 2000, OCR had initiated proactive activities in every state in the Union.

Improving OCR's technology infrastructure was key to providing staff the information needed to respond to civil rights problems. In 1992, OCR's goal was one computer for every two employees and none of the field offices were connected by e-mail. From 1993-94, a local area network was installed in every field office and a 1:1 ratio of personal computers to employees was provided. OCR's leadership immediately took advantage of the opportunities provided by technology.

In January 1994, OCR developed and implemented an automated Case Information System (CIS) that was personal computer, rather than mainframe, based. CIS provides field offices with direct access to their own and national data, shifting the primary responsibility for maintaining an up-to-date accounting of OCR's cases to each component, rather than headquarters. It also facilitates information sharing across components. Currently, OCR is planning the next generation of CIS, which will be a comprehensive case management system that is user friendly and less labor intensive.

OCR's Intranet originated in 1996 through staff volunteer actions, even before the Department's Intranet was introduced. Each OCR component maintains a site used to promote communication within the agency. The sites provide training materials, administrative information, and specific investigative resources. The major application on the Intranet is the Electronic Library (EL), a full-text searchable collection of OCR's resolution letters and

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<sup>282</sup> OCR Budget Chart FYs 1992 - 2000

agreements, policy documents, speeches, technical assistance, and archival materials.<sup>283</sup> Previous to this on-line application, OCR staff searched through notebooks of documents to find the precedent-setting materials that are now accessible in the EL.

Since 1998, OCR has developed, in conjunction with the Office of the Chief Information Officer, plans for major restructuring and implementation of Web based reporting beginning with the 2002 E&S Survey.<sup>284</sup> Plans are underway to incrementally implement Web based reporting beginning with the 2002 E&S Survey with full Web reporting anticipated by the 2006 reporting cycle.

While OCR has maintained an Internet presence for several years, it has been redesigned to provide improved customer service.<sup>285</sup> The organizing principal of OCR's Internet site is to provide students, parents, and other stakeholder with tools to resolve civil rights problems locally. Although the entire design is not yet complete, when available the site will provide a variety of easy-to-read, educational and resolution-oriented information (such as self-evaluation guides), significant policy documents, and detailed, up-to-date information on priority civil rights issues. It will also offer customers on-line services such as the ability to request technical assistance, documents, and complaint filing.

To reinforce the goals of OCR's Strategic Plan, two forums of senior managers were created to ensure that, from staffing allocation to information technology investments, agency goals and decisions remained mission-driven. The Assistant Secretary's Council (ASC) was created to ensure that senior managers keep the organization focused on OCR's critical goals by communicating the vision, maintaining a clear agenda, managing effectively, and being

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<sup>283</sup> Executive Summary for the Design and Development of the OCR Electronic Library, March 9, 1996

<sup>284</sup> Incremental Development Plan for the 2000 E&S Compliance Report

<sup>285</sup> <http://www.ed.gov/ocr>

accountable for results.<sup>286</sup> The Technology Advisory Board was chartered to work with the ASC to ensure that technology funding decisions are integrally related to program objectives and needs, increase OCR's capacity to provide students, parents, and other customers with needed information, and enhance staff development opportunities.<sup>287</sup> These groups meet regularly, often at critical times in the budget cycle, to assess OCR's current needs and plan for the future.

Reviewing the success of OCR's management initiatives from 1993 to the present, it is evident that this Administration accomplished its strategic goals. Through its reinvention efforts, OCR built the capacity to provide tangible assistance to a greater number of students than ever before.

OCR has fundamentally changed the way it does business. OCR's new approaches capitalize on the shared interests of parents, educators, and administrators in ensuring that all children are provided equal access to high quality education. OCR's transformation is noted with approval by many stakeholders. As a result, OCR has fostered working partnerships with school districts, colleges, and universities. Increasingly, recipients are requesting OCR's support in preventing civil rights problems. These partnerships help us find new ways to identify and resolve problems and prevent future discrimination, while setting a model for other educational institutions.

### **Technology Innovation**

Perhaps the single greatest action that has assisted the Department to become a effective management machine is the emphasis that has been placed on using technology as an management tool. The Riley years have been marked by a tremendous shift from a paper society to a technological boom. The Department of Education, prior to 1993, supported an array

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<sup>286</sup> ASC Critical Agenda, May 13, 1996

<sup>287</sup> Assistant Secretary's Technology Advisory Board Charter, November 13, 1998

of technical assistance activities created through legislative mandates totally \$298.7 million.<sup>288</sup> Program-funded projects included: research and development; funding and dissemination of demonstrated effective models; technical assistance to states, districts and schools regarding the implementation of federal categorical programs; information dissemination; and direct services to specific populations. Offices within the Department funded these projects through grants, contracts and cooperative agreements or provided the services directly.

The programs were administered by six different offices in the Department. Chapter 1 technical assistance centers (TACs) and Rural TACs were administered by the Office of Policy and Planning (OPP). In a 1991 report, the Office of the Inspector General included projects that provided technical assistance, research, and information dissemination in its definition of technical assistance centers. However, Department program offices generally included only technical assistance and laboratories in their definition. As a result, the number of centers reported by the OIG report differed from those reported by the Department.

Under the 1993 reauthorization of the Elementary and Secondary Education Act (ESEA), the Office of the Educational Research and Improvement (OERI) and the Office of Elementary and Secondary Education were reauthorized. Legislatively OERI was required to provide technical assistance through the Educational Resources Information Center (ERIC) as an information network, with clearing-houses responsible for developing, maintaining, and providing access to the world's largest education database. However, ERIC did not provide access to electronic mail (E-mail) or bulletin board capabilities that would link teachers to researchers and other teachers. Additionally, ERIC did not provide electronic access and retrieval of curriculum modules or teaching aids for classroom use.

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<sup>288</sup> U.S. Department of Education, Office of the Inspector General, The Education Department's Use of Technical Assistance Centers and Clearinghouse for Providing Technical Assistance and Disseminating Information.

In 1992, OERI responded to these criticisms by funding a research and development project called AskERIC, to test the feasibility of providing answers electronically, in 48 hours or less to any question posed by Kindergarten through grade 12 educators. At the time the National Center for Education Statistics (NCES) collected data on educational institutions at all levels and longitudinal data on student progress. The National Diffusion Network (NDN) was a system that promoted the awareness and implementation of exemplary education programs, products and practices developed by public and private schools, colleges, and other institutions by providing funds to distribute information about exemplary programs. NDN was later phased out because studies showed that adoption of individual innovative programs generally do "not have a large and enduring impact on the quality of schooling."<sup>289</sup> In addition, ten regional educational laboratories carry out applied research and development as well as technical assistance for educators, parents, and decision-makers. Evidence suggested that a broader effort to do development and demonstration work indicated that the laboratories did not have the staff expertise for such efforts.

The concerns expressed during internal reviews of the communications network and management structure revealed a lack of communication and coordination among the laboratories, centers, ERIC and the National Diffusion Network and to practitioners in the state of local agencies. Specifically, it was noted that similar services were provided by centers supporting different programs, both within and across offices. This was true for both technical assistance and information dissemination.

Second, no plan to ensure adequate coordination and avoid or at least minimize, duplication and overlap existed throughout the Department.

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Management Improvement Report No. 91-11 (Atlanta, Georgia, 1991), p. 3.

Third, centers were not located where they were needed. The rationale for the location of the centers is still unclear. Therefore, the Riley administration took action.<sup>290</sup>

By 1994, the Department began to take steps to analyze existing technical service activities and identify some needed infrastructure changes that could be carried out through approaching legislative initiatives.

First, included in the 1993 ESEA reauthorization legislation was a strategy for technical assistance and information dissemination to promote the Goals 2000 themes of equity, access, and achievement. By using the existing regional offices, the Department it could to provide more direct interaction with the "experts" in the field and determine the most effective means for educational change more quickly.

Second the Department created multi-purpose technical assistance centers that would serve several programs and focus on a variety of issues. The rationale was that by aligning the functions of the various categorical centers, assistance would address the needs of all children in a school, district, or state in a unified way, rather than just helping to fix one program at a time. Ten regional centers were created.

OERI's Education Information Resources Division (EIRD) opened its first "roadside attraction on the information superhighway consisting of a global electronic infrastructure which was rapidly evolving around the Internet on January 26, 1994. EIRD established the first Institutional Communications Network (Inet) allowing the Department's first full connection to the Internet in March, 1993. In October of that year, OERI's Gopher Server was launched to provide public access through Inet to an on-line library of education research, statistics, and

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<sup>289</sup> Atkinson, Richard C., and Gregg B. Jackson, eds. Research and Education Reform, Rules for the Office of Educational Research and Improvement (Washington, D.C.: National Academy Press, 1992), p. 71.

<sup>290</sup> U.S. Department of Education, The Education Department's Use of Technical Assistance Centers and Clearinghouses for Providing Technical Assistance and Disseminating Information, p. 5.

information about the Department's programs. The Gopher Server offered a collection of more than a thousand documents, including announcements, directories, event calendars, newsletters, program descriptions, full-text publications, statistical tables and charts, and other information produced by the Department. The National Center for Education Statistics (NCES) invested substantially in the Gopher's creation allowing many of the NCES works to be placed on-line.

This was cutting edge use of technology never before realized by the federal government. The Internet Gopher, having only been developed two years prior at the University of Minnesota was allowing 1000 colleges, universities, state and federal agencies, and other organizations to provide public access to information through an easy-to-use, network-wide system of interlinked menus and resources.

In the first three months of public access, the Department's Gopher received more than 28,000 connections from five continents, and more than 212,000 files and menu items were accessed. In response to concerns expressed in earlier released GAO reports concerning the lack of an agency-wide Information Resources Management Service (IRMS) system, the Department was now dedicating funding, personnel, and time to create a state of the art communications system.

On September 8, 1995, the National Library of Education unveiled the Department's new World Wide Web (WWW) home page. The home page became the new portal into the Department's online library. The goal was to make the collection of all agency publications available to teachers, parents, policymakers, researchers, and others with a stake in American education.

The web site has grown dramatically in the last 5 years. By 1995, the online library had tripled in size, the system received more than 750,000 requests in 71 countries on six continents.

Frequent visitors to the site came from K-12 education networks, community freenets, and commercial networks such as America Online and Prodigy—an indication that individuals and families were using the site. In January of 1995, Internet World named the Department's Internet site one of the 15 most useful educational resources on the Internet. PC Week, in August, identified the Department's site as the place to start for information about education and education technology. By 1996 the web site received more than 3.6 million hits from more than 186,000 computers. The site won a number of awards and accolades from all sectors of the education community. By 1997, Education Index named the Department's web site the outstanding education-related web site.

With all of the growth and success there were some challenges that needed to be overcome. The first was staffing. In November of 1996, a new Chief Information Office position was created. This position gave the Department the leadership that it needed in order to move forward with developing an effective intranet system and continue to expand and maintain the current web capabilities. By 1999, the Department realized that its website was outstripping the capacity of the management structure and resources that were in place. The Department from 1997 to 2000 made incremental, but dramatic steps in providing the resources to create, maintain, and coordinate staff and hardware resources.

Additionally, the Department formed the Internet Working Group. The group's function was to help design and implement a number of improvements not only to the web site but also in the process behind it. The group would be responsible for designing and implementing process for quality control and monitoring, identifying program forms and applications for web conversion, guidance for a redesign of the overall website, assistance to principal offices in creating and maintaining individual web pages and guidance on web-related training needs.

Each office was asked to identify a member of their staff to participate in the new Internet Working group. Steven Corey-Bay and Sally Budd of the Office of the Chief Information Officer, Keith Stubbs of OERI and Kirk Winters from the Office of the Under Secretary would act as the initial facilitators of the group.

Out of this working group an immense amount of change to the use of technology by the Department was initiated. Spurred by the President's 1997 call to prioritize education in the Information Age, the Gateway to Educational Materials emerged on the Department's web site. This program offered a master database that, initially, contained over 7,000 resources from a hundred different sites. Many of these documents and sites were linked to national or state academic standards. The Gateway portal provided the solid foundation for expanding the materials that the Department could make available to its customers in an easy and efficient manner.

In 1998 a proposal was issued by the Department for using technology to become a customer-driven high performance, learning and service organization.

The proposal suggested that the Department implement the following steps in order to effectively move forward with the technology developments already realized:

- Build the necessary human, organizational and technological infrastructure
- Create distance collaboration and training capacity by testing the technologies using remote presentations and distance collaboration.
- Improve and automate business processes by identifying, prioritizing, applying, and improving web-based automation of the Department's principal office business process.

- Develop and disseminate information electronically, comprehensively, and in ways that are timely and efficient.
- Make it easier for customers to locate information.
- Improve communications and coordination among Department-supported staff and other education related customer service call centers, email centers, and question-answering services.
- Improve the Department's ability to respond to customer needs and inquiries in a timely manner.
- Assess the Department's products and services to determine their effectiveness, customer satisfaction, and opportunities for improved new services.

With the assistance of the Internet Working Group, the Department took several action steps to meet these goals. Specifically, meetings were conducted, demonstrations of the Department's technology resources were held, and expert contractors were brought in to support an accelerated development of the web site and promising technologies and trends.<sup>291</sup>

The Department also began a major training campaign that would support the capabilities of the technical infrastructure to support and assist staff in understanding and applying web technology to their business, customer service, and information dissemination processes.<sup>292</sup> This effort also led to the development of specific policies and procedures to be used by Department staff to administer information and use of the World Wide Web Server.<sup>293</sup>

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<sup>291</sup> U.S. Department of Education, "A Proposal: Using Technology to Help American Education Improve and Innovate—and Invent the Future," Draft, July 9, 1998.

<sup>292</sup> *Ibid.*, p.14.

<sup>293</sup> See U.S. Department of Education, "World Wide Web Server Policy and Procedures," March 1, 1998.

By 2000, the Department's main web site, received 69 million hits by 1.2 million people per month. At peak times, there are 76,000 page views per day and 6,700 page views each hour. The web site was ranked fourth among federal e-government sites by the Taubman Center for Public Policy at Brown University and is among the top 10 government domains and the top 500 domains overall in user traffic. Many Department sponsored programs developed individual web sites to unify access to their sites. Examples include the ERIC Clearinghouse on Assessment and Evaluation, the US Charter Schools, and the Federal Resources for Educational Excellence (FREE). The Department also provides an valuable line of communication between members of the Department. The site, connectED allows for the dissemination of employee information. Finally, and perhaps most impressive, is the capacity the Department has to provide for the application, processing, and distribution of financial aid and grant programs through the Internet.

The massive growth that the Department has experienced in the use of technology as a management tool is monumental. Serving as a model for other federal agencies and even private industry, the Department's technological capacities have grown and flourished as a result of the commitment to continued consumer driven access to communication and information.

### **Oversight**

The Office of Inspector General (OIG), the Office of General Counsel (OGC), and many of the statutorily mandated Boards and Commissions were instrumental in guiding policy questions that effected all programs and administrative activities of the Department and related

activities of all parties working under contracts, grants, or other arrangements with the Department.

OIG is responsible for auditing Department programs and operations to determine compliance with applicable laws and regulations, economy and efficiency of operations, and/or effectiveness in achieving program goals. Inspections, which combine the skills of auditors and investigators, are made of entities where there is an indication of significant abuse that warrants recommendation of prompt cutoff of funds. The Office also investigates allegations of fraud by recipients of program funds and of employee misconduct involving the Department's programs and operations. Under the FY 2001 appropriations request, the OIG has been given the responsibility to report to Congress on the effectiveness of the Student Financial Assistance's Performance Based Organization, prepare an audit of the Department-wide fiscal year 2000 financial statements by an independent CPA firm, and continued auditing of the Department's security controls of critical information systems.<sup>294</sup>

The Office of the General Counsel and the Office of Civil Rights have been increasingly important to the legal operation of the Department. The Office of General Counsel has several functions that overlap those of the Office of Civil Rights. The OGC

- Provides legal advice and services to the Secretary, Deputy Secretary, and the Principal Officers of the U.S. Department of Education, as well as any other person authorized to request that advice or those services.<sup>295</sup>

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<sup>294</sup> See U.S. Department of Education, "Fiscal Year 2001 Justifications of Appropriation Estimates to the Congress," 2000, p. AA-12.

<sup>295</sup> Jackson, Janice, Acting Assistant Secretary, Office of Elementary and Secondary Education, "Letter regarding the legal implications for implementing the 1994 ESEA law that allows states to consolidate programs," December 1, 1995.

- Prepares or reviews for legal form and effect public documents, rules, and Federal Register Notices issued by the Department, and legal instruments entered into by the Department.
- Represents the Secretary, the Department, or any of its officers or units in court or administrative litigation, except for administrative proceedings initiated by the Office for Civil Rights.<sup>296</sup>
- Serves as liaison to other Federal agencies in connection with legal matters involving the Department.<sup>297</sup>
- Drafts legislative proposals originating in the Department and reviews the legal aspects of proposed, pending, or enacted legislation.<sup>298299300</sup>
- Leads and manages the regulatory function of the Department and drafts selected regulations.<sup>301302303304</sup>
- Prepares or reviews pleadings,<sup>305</sup> briefs, memoranda, and other legal documents for proceedings involving the Department or requested by other Government agencies for

<sup>296</sup> United States Supreme Court, Amicus Curiae Brief submitted in the case of Katuria E. Smith, et al., v. The University of Washington Law School, et al., undated.

<sup>297</sup> United States Supreme Court, Amicus Curiae Brief submitted in the case of State of Texas, et al., v. Cheryl J. Hopwood, October 1995.

<sup>298</sup> Winston, Judith, Office of the General Counsel, "Letter to College and University Counsel re: admission decisions and granting financial aid based upon student race," July 30, 1996.

<sup>299</sup> Federal Register, "Nondiscrimination in Federally Assisted Programs; Title VI of the Civil Rights Act of 1964; Notice of final policy guidance, Part VIII," February 23, 1994, p. 8756-8764.

<sup>300</sup> See Federal Register "Notice of Application of Supreme Court Decision in United States v. Fordice, January 31, 1994, pp. 4271-4272.

<sup>301</sup> See U.S. Department of Education, "Regulatory Quality Manual," and "ED's Principles for Regulating" from connectED website: [connectED/ref/pol/ogc](http://connectED/ref/pol/ogc).

<sup>302</sup> See U.S. Department of Education, "Report on Improving and Streamlining Rulemaking Procedures at the Department of Education," March 31, 1994.

<sup>303</sup> See example of draft document necessary to respond to disasters and public emergencies, "4000-01-U", undated.

<sup>304</sup> See example of regulations promulgated as a result of Executive Order 13132.

<sup>305</sup> Winston, Judith, Office of the General Counsel, "Letter to College and University Counsel re: Department policy guidance on race-targeted student financial aid," September 7, 1995.

use in proceedings except for administrative proceedings initiated by the Office for Civil Rights.

- Coordinates and manages the Department's ethics program and provides Department-wide ethics advice and training.
- Serves as the Department Claims Officer under the Federal Tort Claims Act and The Military Personnel and Civilian Employees Claims Act of 1964.

The Office of Civil Rights has a more direct and dramatic impact upon the day-to-day implementation of federal education programs. In the 1993 OCR Strategic Plan<sup>306</sup> the visionary goals and objectives that transformed OCR from a complaint-driven, reactive organization to an organization with a balanced, preventive enforcement program were outlined. The linchpin of the Plan was the commitment to use 40% of OCR's resources for proactive activities. These activities included priority policy development; high impact compliance reviews, and targeted technical assistance.

At the time that the Strategic Plan was implemented in FY 1993, many of OCR's 854 staff were busy responding to complaints, about half of which were disability based. By FY 2000, using an approach that balanced complaints with priority policy development, technical assistance, and high impact proactive activities, OCR has significantly enlarged the number and types of students impacted by its program. Today, while responding to a complaint workload that is still over 50% disability based, OCR ensures that a much larger group of students are served at a staffing level of approximately 709, significantly below FY 1993. Moreover, while receiving on average approximately 5000 complaints a year over the last 8 years, OCR has achieved significant efficiencies with significantly fewer staff resources. OCR is also providing more timely and more effective intervention. For example, because of OCR's efforts, many more

students who are English language learners are receiving appropriate language services, more students have access to athletic opportunity, more minority students have gained equal access to gifted and talented programs, and fewer minority students are inappropriately placed in special education.<sup>307</sup>

OCR has fundamentally re-engineered its approach to responding to complaints of discrimination. In September 1994, OCR issued a Case Resolution Manual (CRM) to provide field staff with the tools to accomplish the agency's mission promptly and effectively.<sup>308</sup> The CRM, unlike its predecessor, the Investigative Procedures Manual, offers flexible resolution approaches to resolving allegations of discrimination. It provides a variety of resolution approaches, including mediated settlement, which can be used under varying circumstances.

The CRM places emphasis on effective change for students rather than on document production. Like all of OCR's reinvention efforts, it offers flexibility, not rigid rules, so students can be served more effectively. In February 1999, the General Accounting Office (GAO) issued a report acknowledging improvements in OCR's operations between 1993 and 1997.<sup>309</sup> The GAO Report confirmed that the flexibility of complaint processing introduced in the CRM enabled OCR to resolve complaints more quickly, process a greater number of complaints, and reduce the backlog of unresolved complaints at the end of each year.

So that staff could be trained in mediation and negotiation techniques and in the use of technology as well increase their knowledge of the substantive legal and educational aspects of current civil rights issues, OCR increased its training budget. Between FY 1992 and FY 2000,

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<sup>306</sup> OCR Strategic Plan 1993 - 2000

<sup>307</sup> OCR Annual Reports to Congress FY 1993 - 2000

<sup>308</sup> OCR Case Resolution Manual

<sup>309</sup> GAO Report B-281748, Department of Education: Resolving Discrimination Complaints Has Improved with New Processing System, March 23, 1999

OCR increased discretionary spending [not including the common support assessment for the Department's Training and Development Center] on staff training by almost 200 %.<sup>310</sup>

OCR made every effort to work with an educational institution to resolve violations of civil rights laws; formal enforcement proceedings only begin when all other alternatives to reach a resolution have failed. In FY 2000, OCR took 1 case to administrative enforcement action. None were referred to Department of Justice for judicial enforcement. All but 2 cases out of more than 6,340 complaints and 100 proactive reviews or 6,440 cases in total were resolved short of fund termination.

OCR's September 1995 proposal for a restructuring of senior management was approved and implemented.<sup>311</sup> OCR reorganized into three headquarters components [Office of the Assistant Secretary, Program Legal Group, and Resource Management Group] and four Enforcement Divisions, each with 3 enforcement offices, reporting to two career SES managers.

<sup>312</sup> Organizing into four large units instead of 12 individual offices allowed OCR the flexibility it needed to address the allocation of diminishing resources with increasing workload.

Shortly following the senior management restructuring proposal, OCR restructured headquarters and the field offices, reducing the size of headquarters by half, and creating a Washington, D.C. field office. Post-reorganization, 12% of OCR's staff remained in headquarters with 88% of OCR's staff in the field conducting the core business of the agency. Approximately the same ratio of headquarters to field staff remains in place today.<sup>313</sup>

Each field office was reorganized into investigative teams with oversight from a small management unit. OCR's office structures have been flattened by shifting to a team model that

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<sup>310</sup> OCR Budget Chart FYs 1992 - 2000

<sup>311</sup> Memorandum from Norma v. Cantú to Rod McCowan, Subject: Office for Civil Rights Senior Management Restructuring Proposal, September 8, 1995

<sup>312</sup> FY 2001 OCR Organizational Chart

reduces layers of review and increases the level of responsibility assumed by staff directly involved in cases, resulting in better service to OCR customers. Administrative and attorney staff that had formerly been in separate units were integrated into the team structure, decreasing the level of hierarchical review necessary to move a case to resolution. OCR's new way of doing business also enabled field staff who were closer to the front-lines to become involved in policy and litigation initiatives that had been almost exclusively under headquarters' purview. OCR's operational improvement efforts were so successful that three offices—New York, Kansas City, and Cleveland—received the Vice President's Heroes of Reinvention (Hammer) Award, in recognition of OCR's significant contributions to the streamlining and improvement of government. The awards recognized OCR's work in resolving discrimination complaints, developing partnerships with stakeholders, and improving customer service.

Several working groups were formed around civil rights issues to increase organizational knowledge. These communities of interest, called Issue Networks, are composed of staff from throughout the agency.<sup>314</sup> Each Network has a site on OCR's Intranet. Network members consult freely with staff throughout the agency, conduct teleconferences on topics of interest, and share technical assistance and policy documents. The networks have proven extremely effective as they facilitate the free exchange of knowledge throughout the agency with none of the impediments of a stovepipe structure.

In 1995, each Enforcement Division collaborated on a multi-year docket of proactive initiatives to ensure that 40% of OCR's resources are used on work that is "proactive" or agency initiated.<sup>315</sup> The Enforcement Docket expands OCR's notion of "case" beyond the traditional

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<sup>313</sup> Memorandum from Cathy H. Lewis to OCR headquarters staff, Subject: OCR Headquarters and Metro Reorganization Proposals, October 17, 1995

<sup>314</sup> Memorandum dated August 22, 1996, Subject: Issue Facilitators and Building our External Networks

<sup>315</sup> Memorandum dated March 1, 1995, Subject: Development of the FY 1996 Enforcement docket

compliance review. It allows a broader range of strategies, such as partnership and targeted technical assistance, for making a positive impact in the lives of students facing discrimination.

By talking to stakeholders, researching media for information on civil rights concerns, and analyzing relevant information, the Divisions identify issues for their proactive dockets specific to each area of the country. The dockets are shared with all Enforcement Divisions, to identify common areas of concern, such as the disproportionate representation of minorities in special education and ensuring the provision of sound educational programs for English language learners.

Today's complex educational challenges require that OCR acquire and maintain expertise in the educational implications surrounding the civil rights issues. Equity and educational excellence are complementary, not competing, goals. Accordingly, a record amount of funds were allocated for hiring educational consultants to advise on information collection and analysis or the preparation of policy guidance. The consultants help OCR craft resolution agreements and technical assistance documents that promote both equal access and education excellence. In FY 1993, there was no money budgeted for consultants; by FY 2000 OCR was budgeting \$200,000 for consultant services.<sup>316</sup> All of the documents and "best practices" used in any field office are now electronically available to all of the others. By FY 2000, OCR had initiated proactive activities in every state in the Union.

In order to carry out the many policy objectives of the Department 25 independent boards and committees were put into place to monitor and provide advice from educational leaders from around the country. The growth in the number of boards—from 13 in 1993 to 25 in 2000—is an indication of the commitment made by Riley to seek input and monitoring from all aspects of the education community.

A report of each committee's responsibilities, accomplishments, appointed members, and the various administrative costs for committee activities were submitted as part of the Annual Report of the President on Federal Advisory Committees.<sup>317</sup>

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<sup>316</sup> OCR Budget Chart FYs 1992 - 2000

<sup>317</sup> See Department of Education Committee and Board Reports for 1993-2000.

## **EDUCATION LANDMARKS:**

### **Conclusion**

During the eight years that Richard W. Riley steered the U.S. Department of Education's ship great advances have been made in many areas of education policy, implementation, and resource management. Some of the advances required massive change in the motivations and expectations of the American public and the individual government worker. While the Greek scholars of previous centuries believed that education was about the rational development of ideas communicated from one individual to another, the Riley years have proven that education is about a great deal more. The motto that best exemplifies the philosophies of this Administration are summed up in four simple words--education is everybody's business.