

VOCATIONAL TRAINING

N E W S

The Independent Monthly Report on School-To-Work, Job Training & Vocational Education

Assess SLC's educational value with rigorous criteria

Small learning communities can be successful environments to prepare students for the workforce, but they are most effective if they are implemented with a clear mission plan and established criteria to measure daily practices against goals and priorities.

In order to get SLCs right from the beginning, you must match your methods to your mission. But if you aren't clear about your goals — or your team isn't on the same page — you face the common pitfall of good intentions falling short of great results.

Another key factor in making your methods serve your mission is to create a solid evaluation and awareness of your strengths and weaknesses.

A good starting point

Grace Sammon, author of *Creating and Sustaining Small Learning Communities* and president of GMS Partners Inc., an education consulting firm, said it is all too common for districts with SLCs in place to have a certain amount of disconnect from school to school and teacher to teacher about the role of the SLC.

"Quite often, even in schools with well-established SLCs, there is confusion about the purpose and critical elements," she said.

And when the differences between SLCs in the same district outnumber the similarities, the district is missing the chance to create a comprehensive program that can better serve all of its students, Sammon said.

That means the first step in assessing the effectiveness of SLCs should be to get input about what the communities are meant to accomplish, she said.

She added that a common understanding of SLC goals is essential to achieving them. Once the goals of the SLC have been estab-

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House approves Perkins, stresses accountability

The **House** overwhelmingly approved reauthorization of the nation's vocational education bill, showing support for separate funding for career and technical education.

The 416-9 vote reauthorizing the **Carl D. Perkins Vocational and Technical Education Act** through 2011 echoed a 99-0 vote on the **Senate** side.

The **Bush administration** has proposed cutting the \$1.3 billion program and folding the money into the president's high school reform efforts. Perkins advocates feared removing designated funding streams would erode the effectiveness of CTE programs. Perkins is the federal government's largest contribution to secondary education.

The House bill focuses on increased accountability of programs and courses and aligns achievement standards with NCLB requirements.

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News Briefs

Mass. officials to launch Biotech Initiative' for high schools

With Sen. Edward Kennedy, D-Mass., and other state officials in attendance, the **Massachusetts Biotechnology Council** and MassBioEd, in partnership with schools, government and biotechnology companies, will launch the BioTeach Initiative at the **State House** in Boston. The initiative seeks to provide the resources necessary for every public high school in Massachusetts to teach biotechnology courses.

The event will seek to raise \$9 million over six years to outfit school science labs with equipment and supplies to teach biotechnology, provide professional development for biology teachers, and help teachers access and use inspiring biotech curricula. More than \$3.3 million has been contributed already.

For more information, see www.massbio.org.

NCES reports on dual enrollment

The **Education Department's National Center for Education Statistics** has released a report on high school students who are simultaneously enrolled in colleges and universities.

The report provides data from a nationally representative survey of Title IV degree-granting postsecondary institutions.

Dual enrollment, also known as "dual credit," "concurrent enrollment" and "joint enrollment," refers to the participation in college-level courses and the earning of

college credits by high school students. Survey respondents at selected postsecondary institutions were asked to report on the prevalence of college course-taking by high school students during the 2002-03 12-month academic year.

Dual Enrollment of High School Students at Postsecondary Institutions: 2002-03 is available at nces.ed.gov/pubsearch/pubinfo.asp?pubid=2005008.

Spellings urges Hispanic business leaders to close achievement gap

Education Secretary Margaret Spellings called on Hispanic parents, students and the more than 1 million Hispanic business owners in the United States to join her in ensuring that all students receive a quality high school education that prepares them for college or the workforce.

Spellings noted the dropout rate for Hispanic students is almost four times that of white students and encouraged business leaders to help address the problem.

"The result," she told the **U.S. Hispanic Chamber of Commerce's** legislative session, "is that you in the business community end up paying for our students' education twice — first as taxpayers and then as providers of remedial education."

She encouraged leaders to tap into their business network and be a voice for children.

Spellings' full remarks are available at www.ed.gov/news/speeches/2005/04/04192005.html. □

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Program eases school-to-work transition for students with disabilities

Moving into the workforce can be difficult for any student, much less a student with disabilities.

However, an innovative Iowa program is bridging this gap by offering students with disabilities a chance to gain work-readiness skills before they leave school.

The program, known as Super Seniors, is a voluntary supplement to each student's 12th-grade course load. A support team helps students identify career goals and develop an action plan to achieve those goals. Key community relationships introduce the student to potential career paths.

The program is getting results, according to **John Nietupski**, a resource development specialist with the consulting agency that runs the program.

"We have seen a 408 percent increase in hours worked, a 261 percent increase in hourly wages and a 619 percent increase in monthly earnings by Super Senior students," Nietupski said.

Though the program was initially funded through a federal special education grant, participating districts now fund it. "We serve students in that middle range of the disability spectrum, who often fall through the cracks," said Nietupski. **Grant Wood Area Education Agency**, a special and general education consulting group, runs the program.

Identify opportunities

When a student enrolls in the program, staff members start the career identification process by spending time with him in and out of school to determine his preferences. The student does a career interest inventory that helps identify options. He may then explore his options through short-term job shadowing.

Finally, the student picks a team of people to help support him in creating an action plan. The support team can be composed of any individuals that the student would like, along with the Super Seniors staff on hand.

The team asks three main questions during a personal planning meeting:

1. What are your hopes, dreams, skills and interests?
2. What might be an ideal job situation?
3. What do you need to move forward today?

The meeting lets the student know that help and guidance are available. It also shows the student that he has to join the

Key strategies to emulate the success of Super Seniors

If you are interested in implementing a school-to-work transition program for students with disabilities, take a few tips from **John Nietupski**, director of the Super Seniors:

Visit programs that work. Observe what others are doing and consider modeling your program after those with a proven success rate. During visits, ask lots of questions. Take advantage of the expertise of those who have gone before you.

Make a commitment to build services around students. Students with disabilities in transition can be a difficult group to serve because this population requires flexibility and understanding. Be sure you and your staff are ready to put students before procedures.

For more information about Super Seniors, contact John Nietupski at (800) 332-8488, Ext. 6442, or (319) 399-6442. You can also contact him by e-mail at Jnietupski@aea10.k12.ia.us. □

team in taking a leadership role in his own growth, said **Judy Warth**, a coordinator for the program.

"All team members become partners in the process," Warth said.

Once the student has an action plan in place to meet his career goals, the Super Seniors program aids in job placement, paid internship placement, job coaching and entry-level skill development.

The program teaches soft skills like appropriate social behavior, handling an interview, making good behavioral choices and using public transportation.

It also helps the student access whatever technical training he needs through an employer, high school or technical school to get a paid apprenticeship or job.

Keys to success

Creating strong ties with community contacts is a critical part of the program's success.

By working with **Goodwill**, for example, the program capitalized on that organization's relationships within the community, Nietupski said.

The program also relies on referrals from parents, other business contacts, teachers and students, in addition to reaching out to new businesses. □

SLC (continued from page 1)

lished within the district, administrators and teachers should consider the “nonnegotiables” in the program to determine what key elements would be implemented in each SLC in the district.

For example, Sammon said, some nonnegotiable program elements might include common planning time for all the teachers in the cluster, evidence of personalization and a higher standards curriculum.

Once practitioners agree on the elements of the program, they can be implemented and assessed accordingly.

Without agreement, each teacher or administrator is essentially running his own show, and the system of SLCs can't be accurately assessed for student benefit.

Assessment for specific criteria

Within Sammon's organization, she uses five elements to help districts assess where SLCs are strongest and where they are weakest:

1. Data-driven management. Sammon said understanding the school's data could provide vital big-picture information about the school's progress and where it needs improvement.

However, she said it is all too common for teachers to be unaware of data such as who is failing, who is succeeding and who might be falling between the cracks within the entire school.

Instead, even data-savvy teachers tend to be concerned only about the students they teach.

Only with a big-picture scope and a critical examination of documented evidence could the school move forward with a strategy for improvement, she said.

“We can't be afraid of our data, and we can't hide from it,” she said. “But we must do something about it.”

2. Personalization. SLCs offer the chance for students to move beyond high school anonymity, but this aspect of the program must be developed so students understand they are valued as individuals.

CTE may be a few steps ahead in this area, because CTE teachers are likely to have a group of students who readily reveal career interests and goals.

They may also have a chance to create bonds with at-risk youths who otherwise might be disaffected in school.

“Personalization means knowing the child both academically and personally,” Sammon said.

She suggested when schools assess personalization they look for the structure that supports bonds between students and faculty. Programs that offer mentoring and advice can help provide this support structure.

“Personalization has to be about setting high expectations for kids,” she said.

She also encouraged CTE directors not to overlook personalization for teachers, adding that professional learning communities are a way to show individual development is valued.

3. Curriculum. SLCs should put in place a path for students to go on to postsecondary education if they desire, Sammon said. Though some students may opt to go directly to work, the sequence of high school classes in place should still provide a high-standards curriculum and the prerequisites to allow for continuing education.

She said that SLCs should also be examined for rigor, stressing that rigor meant more than counting up the number of AP and honors classes offered.

Instead, she said, you must also assess how rigor is implemented in general education and technical classes as well as academic ones.

4. Partnerships. To assess the effectiveness of partnerships within SLCs, practitioners should consider whether community partners are involved in promoting the mission of the SLC and whether they take an active role in leading its improvement.

Parents should also be involved in assessing the programs and offering resources that support it.

5. Climate for success. The last criterion assesses the climate for success necessary for SLCs to thrive.

The climate includes creating a culture where theory and practice are aligned.

It also means that staff members have the time and professional development training to help them meet the needs of their students.

For more information about building and assessing SLCs, contact Grace Sammon at (866) 649-6354 or by e-mail at gsammon@verizon.net. □

JFF report: CTE data promising, but research still incomplete

Even with the possible reauthorization of the **Carl D. Perkins Act** by Congress, the future of CTE in the face of high school reform is still ambiguous.

And as legislators play financial tug-of-war with funding for CTE programs, a new report suggests we may not have the whole picture when it comes to CTE. The report, *Remaking Career and Technical Education for the 21st Century: What Role for High School Programs?* says there is more to be learned about how to meaningfully integrate CTE into the high school curriculum. It also notes that further research and informed discussion are needed in track reform.

The report is one of a series in the Double the Numbers Initiative from **Jobs for the Future**, a nonprofit research, consulting and advocacy organization, prepared in conjunction with the **Aspen Institute's Business and Society Program**. The report examines research regarding career ed's effectiveness in installing academics, preventing dropouts and teaching contemporary technical skills and how they might be integrated into high school reform efforts.

"For CTE, the challenge is clear: how to maintain program integrity and improve learning in an environment that demands academic progress as the bottom line and posits that further postsecondary learning is essential for all graduates," said **Richard Kazis**, senior vice president at JFF and author of the report.

Kazis notes that CTE research has been subject to scrutiny from those who favor dismantling the track. "The past few years have been hard ones for these efforts and the future [of CTE] is uncertain, but it would be a mistake to dismiss the 'education through work' strand of high school reform too quickly," Kazis said. Preliminary data on the track's effectiveness seem promising, making it worth the effort to pursue reform, he said.

Several industry leaders also provided commentary enclosed in the report, including **Betsy Brand**, director of the **American Youth Policy Forum**, and Virginia Gov. **Mark Warner**.

Small rewards

Though results in research studies were mixed, there are some areas where definitive conclusions can be drawn, Kazis said. Among these is that CTE can reduce dropout rates

for at-risk students.

In an ERIC brief, researchers noted that studies of High Schools That Work sites, Tech Prep, Perkins Cooperative Demonstration sites and career academies have shown reduced dropout rates when compared to control groups of students who were not in CTE programs.

And the conclusive benefits of CTE for at-risk youth don't stop there. "There is evidence that the social networks and connections created through internships and work experience, particularly for youth in poorer neighborhoods, can have a positive impact on future earnings and job advancement," he said.

Though these early benefits seem to create a reason for maintaining the track, CTE is at a crossroads: It must either undergo reform or risk withering by the wayside, Kazis said. The reform effort means the track must shed its image as a path of least resistance for students likely to shun college. Instead, a key part of that reform effort should be incorporating academic rigor into CTE's bedrock of technical skills.

"The most important reform that CTE programs must commit to and pursue aggressively — with help from state and federal governments — is to steadily ratchet up academic standards so that CTE is an alternative pathway to postsecondary success, not a lesser track," Kazis said.

First steps in road to reform

More information about CTE's future may be available by looking at the states that have recently revamped their career ed systems. Kazis noted that Connecticut has launched more stringent expectations in its CTE schools. He also pointed to New York and Maryland as states that are integrating academic standards with technical knowledge in their schools.

"The next swing toward a rethinking of CTE and career-focused education may be in its early stages," Kazis said. "The discussion will be about how to use varied curricula and school programs to promote the achievement of a common set of high academic standards."

Kazis said that reform efforts cannot allow the track for career and technical education students to be less demanding than the track for their college-bound peers.

To read more about the report, visit www.jff.org/jff/kc/library/0252. □

PERKINS (Continued from page 1)

House voters added three key amendments to Perkins:

□ The first amendment protects the Tech-Prep program from budget cuts if it is folded into the larger Basic State Grant program, as the House version of the bill proposes. The amendment was designed to placate Democrats, who want to keep the funding streams separate, as in the Senate version of the bill.

□ The second amendment would allow students to more easily transfer credits to other institutions of higher learning if they switch career paths.

□ The third amendment authorizes funds for training technicians to work on hybrid or alternative fuel automobile technology.

Rep. George Miller, D-Calif., ranking member of the **Education and the Workforce Committee**, said he hoped the bipartisan support for the bill “would forever put an end to this idea of the administration that it’s going to zero-out this legislation, or that it’s going to take the money for some other initiative.”

Reconciling differences

Though the House bill has not addressed all the issues some were hoping for, the bills provide a starting place for reform.

“While we have concerns with a few provisions in the House bill, the bulk of it contains important improvements to the Perkins program,” said **Christin Driscoll**, director of public policy for the **Association for Career and Technical Education**.

Among the additions to the House bill is an emphasis on accountability.

States would be required to demonstrate “continuous and substantial” academic and technical achievement for students using performance indicators and improvement plans, as well as measuring progress against performance levels.

“In this bill, we’re protecting the role of states and local communities, and we’re asking for results in exchange for the money that we are already spending at the federal level,” said **John Boehner**, R-Ohio, Education and the Workforce Committee chairman.

For some, accountability is a worthy standard, but only if it is measured accurately.

“Our biggest concerns right now related to the accountability system are ensuring that schools are not sanctioned under Perkins merely for failing to meet **No Child Left Behind Act** adequate yearly progress goals, thus facing a double jeopardy situation,” said **Alisha Hyslop**, assistant director of public policy for ACTE.

Additionally, the bill requires states to fund links between secondary and postsecondary education facilities and put in place a sequence of courses that aligns technical and academic learning.

The next step in the process is for a committee from the House and Senate to work out the details of a final reauthorization bill.

Funding concerns remain

Though Congress has shown support for maintaining Perkins funding, tight allocations could make it difficult to keep the program funded at current levels.

“Even if Perkins is not eliminated, cuts in Perkins below current levels would force already cash-strapped schools, training programs and community colleges to reduce or eliminate programs that are working well in communities across the country,” Hyslop said.

She added that cuts would mean hard choices for administrators and little money to pay teachers and to buy equipment students are expected to be familiar with once they are in the workforce. Such cuts could also threaten programs like career counseling, academic infusion and career and technical student organizations. □

WIA Reauthorization: Witnesses say education, workforce programs need coordination

Federal education and job training laws must be better aligned to reinforce each other’s requirements and provide funding flexibility, state and education officials told the **Senate Health, Education Labor and Pensions Committee** introduced its **Workforce Investment Act Amendments of 2005** last month.

A new study from the **National Governors Association** said major legislation, such as the

Individuals with Disabilities Education Improvement Act, No Child Left Behind Act and **Workforce Investment Act**, often duplicate reporting requirements and limit funding streams, **Kansas Gov. Kathleen Sebelius** testified.

She said the reauthorization of WIA this year presents “a great opportunity to enhance the federal-state workforce system and support state innovation.” □

8 strategies to keep career tech labs safe for students, staff

**By Dan Schroer & Charles J. Russo*

Career technical instructors must not only be experts in their fields, they must also be expert laboratory managers. Each day, students in industrial arts classes and career tech labs work with high-tech, complex equipment that is potentially dangerous and must be treated with respect and care.

By following several important strategies, your career technical instructors can minimize safety problems and help protect students from injury.

Here are eight safety considerations for CTE instructors:

1. Instructor's location. The location of instructors is the most important lab management rule. They must be positioned so they are able to see or hear all activities occurring in the lab. For example, information technology instructors should be able to see all students, even though their labs are typically larger classrooms. On the other hand, welding instructors may not, since many students will be in welding booths with curtains. Even so, welding instructors should always be on the alert and listening for problems.

2. Dress code. For each career technical class, dress codes should be required of all students. Although each skill may require different attire, adhering to the requirements is very important for safety. In programs such as carpentry, precision machining, automotive technology and construction electricity, safety glasses and protective clothing are essentials. Also, students in these programs should avoid wearing loose clothing so they are not caught in mechanisms and gears.

3. Equipment installation. The workforce continues to expect students to be better prepared to use career-specific equipment, and many districts receive funding to keep their equipment up to date. Instructors are pivotal in the selection and installation of equipment and should make certain that all manufacturer-specific installation guidelines are followed. It is also important to involve the school's maintenance department to ensure that utility needs comply with the law. This can help students have a better understanding of equipment operation.

4. Equipment and hand tool use. With each type of lab equipment or hand tool, there are safety guidelines and safety assessments that must be followed. Instructors are

responsible for making sure that every student passes an authentic, skills-based assessment before operating any equipment or hand tool. These assessments should be kept on file during the duration of a student's enrollment in the program.

5. Cleanliness and organization. From the first day of class, students should be taught the importance of clean and organized laboratories. They need to understand that each piece of equipment, tool and safety gear has its place. At the end of each lab period, students should clean their labs and work areas. This can be easily accomplished through a cleanup plan that involves assigning all students specific roles during the last 10 minutes of class.

6. Chemical storage. In many career technical laboratories, potentially dangerous chemicals are used, so proper storage is critical. Specific information is supplied through the **U.S. Department of Labor's Occupational Safety and Health Administration** and on Material Safety Data Sheets. Instructors must know the requirements and take the time to apply them consistently, without hurrying at the end of class.

7. Communication with parents. Family members should be invited to laboratories to meet instructors, learn about the curricula, and be educated about lab environments. In this way, parents can be better informed about what their children are doing and can be called upon to support instructors. Parents should sign information sheets that specifically outline all requirements and expectations, including all safety rules.

Effective instructors will regularly communicate with parents during the school year as well.

8. Professional development. Career technical instructors must keep informed and educated on improved technology and equipment to increase their knowledge of safety issues. Instructors need to seek out this updated knowledge regularly through professional development seminars, trade workshops and postsecondary courses.

**Contact Dan Schroer, vice president of secondary workforce education at Butler Technology and Career Development Schools, at schroerd@butlertech.org, or Charles J. Russo, Panzer Chair in Education at the University of Dayton at charles.russo@notes.udayton.edu. □*

Fla. district taps into student body to recruit potential teachers

Faced with a critical shortage of teachers, Broward County, Fla., public school officials aren't waiting for new educators to graduate from universities. They're looking to their own student body for recruits.

The South Florida district, the sixth largest in the country, hires 3,500 teachers each year. Recruiting can be tough because the entire state of Florida produces only 6,000 new teachers each year.

That's why Broward County administrators felt they had to come up with a novel solution to a chronic problem. They decided to "grow" their own teachers by developing the Urban Teacher Academy Project to interest high schoolers in teaching careers.

UTAP gives students the chance to learn more about teaching through a future teachers club. Students get to mentor their peers, partner with career advisors and attend seminars about the profession.

The key to the program is that it gives students information while they are still considering which careers might be a good fit. It does so at a pace that allows each student to absorb the material at his own rate, said **Superintendent Frank Till**. "It's

very structured, but also very personalized," he said.

The district has allocated funding for the cost of the program in its budget.

Homegrown teachers

Till said the homegrown approach was taken after the district noticed that local student teachers tended to stick around the longest. Further, teachers who grew up in the county, left, then returned to teach became good role models for students interested in the profession, Till said. Students were able to identify with these teachers because they once sat in the same classrooms.

The program benefits the students as well, Till said. The future teachers can get university scholarships and are welcomed home with the promise of a teaching job after graduation.

Although the scholarships are not contingent on the student's return, Till said, it's expected many will want to give back to the students who follow them. The scholarships are raised privately for high school students. □

Build better business alliances for your students

Giving career and technical education students a foot in the door with local employers can be critical to help them transition smoothly into the workforce. But being able to offer students — particularly those with disabilities — the opportunity for an internship or a part-time position requires that you work closely with prospective employers.

To help you create stronger ties to the local workforce, the **National Collaborative on Workforce and Disability** recently published a short report detailing strategies to build better workforce relationships.

Here are a few tips to build better business alliances:

Strategy 1. Conduct informational interviews with prospective employment partners. Learn about the employer's technical needs, as well as the customer service skills managers expect of their workers, from someone well versed in the business. But do your homework before you go. Taking the time to learn a little background about potential business alliances suggests that you and your colleagues take the partnership seriously.

Strategy 2. Use business language to describe what you can bring to the table. Education jargon differs from that in many technical industries. Make sure you are tailoring your words accordingly. NCWD suggests that you employ phrases like "prescreened applicants" and "access to an expanded labor pool" rather than asking for assistance in placing youth with disabilities into employment opportunities. By stressing how you can help employers rather than how they can help you, you increase your chances of being approved.

Strategy 3. Know youth skills and interests and the employer's circumstances. Avoid the temptation to match a student with an employer who simply expresses an interest in taking on a student worker. Instead, be sure the student and employer will benefit from the match.

Strategy 4. Establish a single point of contact for employers. Make it as easy as possible for employers to contact your program to discuss a partnership.

Streamlining the communication process will save time and stress for busy employers. □

NGA survey: Secondary school career prep not measuring up

Almost half of high school students don't think that their senior year is as meaningful as it could be in preparing them for the workplace.

According to the preliminary results of an online survey from the **National Governors Association**, 60 percent of the 10,000 secondary students surveyed rated their schools "poor" or "fair" when it came to preparing them for a career or trade.

The Rate your Future survey seeks student feedback on the successes and failures of secondary schools as part of NGA chairman Virginia Gov. **Mark Warner's** yearlong initiative, "Redesigning the American High School."

"The voice of the students has been missing in this conversation about high school reform that has been going on among the experts and policy makers," Warner said in a statement.

The survey, launched in February, is an attempt to give all students — not just over-achievers — a voice in how high schools can be reformed to be more relevant to students' futures, according to the NGA Web site.

"The class of 2005 may have the best ideas we need. If the students we are trying to help don't see the value in redesigning high school, we are wasting our time," Warner said.

Students lack resources, feel overlooked

The data collected so far suggest many students don't understand the importance of Advanced Placement courses or dual enrollment in preparing for college.

"We think it is our job now, as we continue to talk about high school reform over the next year, to really communicate the value of these kinds of courses," said NGA communications director **Christine LaPaille**.

"You need to have this available to you in high school," she said, "and if you don't, you need to demand it."

Additionally, nearly half of respondents — 43 percent — don't believe they are gaining practical and essential life skills in school.

Also, one-third of respondents — including students most at risk of dropping out — say they are overlooked by their high schools.

The NGA plans to build demand for

reform at the grassroots level among students and parents, she said.

The NGA will release the final survey results just prior to its annual meeting this summer in Des Moines, Iowa.

The NGA cosponsored a **National Education Summit on High Schools** in February, during which the keynote speaker, **Microsoft** chairman **Bill Gates**, called the nation's secondary schools "obsolete."

The **Bill and Melinda Gates Foundation** and four other charitable groups announced a \$23 million commitment to help states improve high schools and graduation rates.

Redesigning the American High School predated by a couple of months **President Bush's** proposed \$1.5 billion high school initiative, which calls for extending **No Child Left Behind Act** mandatory math and reading student assessments into the 9th and 11th grades.

However, the initiative could take funding away from the **Carl D. Perkins Act** since the president's budget proposed rolling CTE funding into the reform package.

So far **Congress** has been slow to support the change with both the **House** and **Senate** passing bills to reauthorize Perkins. Some members have announced that opposition to the plan exists on both sides of the aisle.

Further information on the NGA survey is available at www.nga.org. □

Students call high school's workplace, college preparation inadequate

Many of the respondents to the **National Governors Association** online survey say their high school work didn't measure up when it came to preparing for life after graduation. Here are the preliminary results of the survey:

□ Sixty percent rated their school as "fair" or "poor" in preparing them for a career or trade.

□ Twenty-nine percent judged their senior year as "a waste of time."

□ Thirty percent believed their high school does a "fair" or "poor" job challenging them academically.

□ About one-third said that their high schools are doing a "fair" or "poor" job preparing them for college. Only a quarter said their high schools are doing an "excellent" job.

□ Seventy percent said teachers have high expectations only for "certain students." □

Funding Alert

Staples Foundation for Learning

Scope: Office supply store **Staples Inc.** established this foundation to fund programs that support or provide job skills and educational opportunities for all people, especially disadvantaged youths.

Deadline: June 28 for review at the foundation's August meeting; Sept. 27 for review at the November scheduled meeting. The foundation now has an online system for submitting grant applications.

Funds: There is no specified range or limit on the amount of grants available. Recent awards ranged from \$1,000 to \$500,000 each.

Eligibility: U.S. 501(c)(3) nonprofit organizations.

Areas: Grants support efforts to:

Teach, encouraging children of all ages and backgrounds to discover the joy of growth through learning.

Train, supporting the foundation's belief that "armed with the right vocational skills, children can truly make a difference — both in their own lives and the lives of friends and family."

Inspire, "The greatest gift we can give all children is hope for the future," and the foundation aims to do this by nurturing youths' desire to realize their full potential.

Contact: Staples Foundation for Learning, 500 Staples Dr., 4W, Framingham, MA 01702.

E-mail: Questions should be sent to foundationinfo@staples.com.

Web: www.staplesfoundation.org.

Best Buy te@ch grants

Scope: The **Best Buy Children's Foundation**, founded by the electronics superstore, announced that this program would continue, commencing in early July.

Deadline: Sept. 30.

Funds: A \$2,500 Best Buy Gift Card is awarded to selected schools for technology purchases. Last year, 2,500 grants were awarded.

Eligibility: U.S. public schools with a Best Buy store nearby.

Areas: Best Buy has noted in the past that it's not about having the best technology, but about doing the best with the technology. Applicants must show how they would integrate technology use into the curriculum in

innovative, interactive ways that help children learn and have fun while doing so.

Web: www.communications.bestbuy.com/communityrelations/teach.asp

Community job training (Labor)

Scope: The **Labor Department's Employment and Training Administration** invites applications to build the capacity of community and technical colleges to provide employer-focused workforce development in high-growth industries (*Federal Register*, May 3).

Deadline: July 6.

Funds: \$125 million for 75 grants of \$500,000 to \$2 million each distributed across urban and rural areas. ETA will solicit applications again in the fall.

Eligibility: Community colleges.

Areas: The grants are meant to advance a national model for demand-driven workforce development implemented by strategic partnerships between community colleges, the workforce investment system, business and industry and the K-12 education system. Community colleges will train workers to succeed in local industries and occupations that are expected to experience high growth; and industries where demand for qualified workers is outstripping supply.

Contact: Kevin Brumback; (202) 693-2705.

Web: www.doeleta.gov/sga/sga.cfm.

The MBNA Foundation

Geographic Area: Mainly near company operations in Delaware, Maine and Ohio.

Scope: The **MBNA Foundation**, established in 2000, has a variety of programs for scholarships, education programs, community grants, and volunteer and employee programs. Areas of interest include arts and culture, K-12 education, special education, environmental conservation, and health and human services.

Funds: Funds vary by program and grants have been over \$1 million. Deadlines vary by program.

Eligibility: The foundation provides financial assistance, services and resources to community organizations and schools.

Contact: www.mbnafoundation.org/about.html. □

New Judicial Decisions

Teacher termination

The **11th U.S. Circuit Court of Appeals** rejected a teacher's claim that he was terminated in violation of Title VII of the **Civil Rights Act** because of his race. The teacher couldn't show that an Alabama school district's stated reasons for terminating him were really a pretext to cover up its discriminatory intent. **See page 11.**

Student discipline

A student's claim that a school official punished him more harshly than two other students would have violated the student's equal protection rights. However, the student's First Amendment claim against the school official was dismissed because he was entitled to qualified immunity. **See page 11.**

TEACHER TERMINATION

'Abusive' letter-writing campaign costs welding teacher his job

Case name: *Jackson v. State of Alabama State Tenure Comm'n., et al.*, No. 04-10046 (11th Cir. 04/14/05).

Ruling: The **11th U.S. Circuit Court of Appeals** rejected a teacher's claim that he was terminated in violation of Title VII of the **Civil Rights Act** because of his race. The teacher couldn't show that an Alabama school district's stated reasons for terminating him were really a pretext to cover up its discriminatory intent. The board claimed it ended the teacher's employment because he embarked on an "abusive and disrespectful letter-writing campaign," not because of racist reasons.

What it means: Once an employee establishes he is a member of a protected class and suffered an adverse employment action, a school district must provide some legitimate, nondiscriminatory reason for its conduct to avoid liability for discrimination. If an employee can then show the district's proffered reasons were just a pretext to conceal a discriminatory motive, the claim will proceed to a jury trial.

Summary: Because the board identified legitimate, nondiscriminatory reasons for

terminating the teacher, specifically his negative letter-writing campaign, the burden shifted to the teacher to show the board's proffered reasons for his termination were pretextual. The teacher failed to do that, leaving his discrimination claim without support.

During the latter part of his nearly 20-year tenure, the district claimed the welding teacher sent numerous insulting and demeaning letters to members of the board. Shortly before he was terminated, a student in his welding class burned his hand with a welding torch. The student wasn't wearing required safety gloves when the accident happened.

The teacher also made an unscheduled appearance at a board meeting and allegedly distributed confidential records regarding his special education students, apparently in an attempt to demonstrate that his classes were overcrowded.

The teacher claimed he was terminated because of his race but three board members, who voted in favor of termination, articulated several of the foregoing reasons for their decision to terminate him. They also claimed he falsified expense reports and complained about his job performance appraisal.

In upholding the board's termination decision, the court noted that even the one member who voted against the termination conceded that because of the letters, the board may have had probable cause to cancel the teacher's contract. The court stressed that the right to disagree doesn't include within it the right to keep one's job after expressing that disagreement "with abuse, racist, demeaning invective publicly hurled at those with whom one serves."

STUDENT DISCIPLINE

District, school official answerable to disciplined student's claims

Case name: *Cohn v. New Paltz Cent. Sch. Dist., et al.*, No. 1:04-CV-1066 KEK DRH (N.D.N.Y. 03/30/05).

Ruling: A student's claim that a school official punished him more harshly than two

other students, who were involved in an alleged conspiracy to bring a gun to school, which, if true, violated the student's equal protection rights, for which the school officer could be personally liable. However, his First Amendment claim against the school official was dismissed because he was entitled to qualified immunity.

But there was still an open question as to whether the alleged conspiracy was speech that caused a substantial disruption to school operations, keeping his First Amendment claim against the district alive.

What it means: A school official is generally entitled to qualified immunity even if he violates a student's constitutional rights, unless his conduct, when committed, violated "clearly established statutory or constitutional rights of which a reasonable person would have known."

Summary: Because there was little case law on the issue of disciplining a student for a combination of on-campus and off-campus speech, especially in light of the possibility of school violence, the court concluded the school official who disciplined the student was entitled to qualified immunity for the student's First Amendment claim. However, the school official should've known that doling out inconsistent punishments for similarly situated students violated the student's equal protection rights, the court said.

The district claimed that in November 2000, the student and two other students conspired in the high school cafeteria to wrongfully possess or distribute one or more handguns.

And that in December 2000, the student had a gun at a location off school property and that upon becoming aware that a gun may be brought to school, the administrators had to evacuate the school.

The court found the student's alleged discussion concerning handguns wasn't a true threat because the student didn't direct speech or action toward another individual that was a serious expression of an intent to cause harm.

Therefore, his alleged speech was protected speech under the First Amendment.

To suppress speech that is constitutionally protected, the district must be able to justify its decision by "facts which might reasonably have led school authorities to forecast substantial disruption of or material interference with school activities," the court said. There was a question of fact as to whether the student's alleged conversation about handguns and subsequent possession of a handgun off school property constituted a substantial disruption, the court said.

The student's equal protection claim was grounded in the allegation that the punishment he received was disproportionate to the other two students involved in the incident. □

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