

Huntsman signs snub to No Child Left Behind

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By Laura Hancock

PROVO — Utah Gov. Jon Huntsman Jr. signed legislation Monday that promotes state education guidelines over the federal No Child Left Behind Act.



Hayley Alder, 9, writes the date on HB1001 before Gov. Jon Huntsman Jr. signs the bill promoting Utah's guidelines over NCLB.

Rep. Margaret Dayton, R-Orem, spent more than two years working on what became HB1001, which was passed during last month's special session of the state Legislature

State legislators and state education officials attended the signing ceremony at Amelia Earhart Elementary School in Provo.

Rep. Kory Holdaway, R-Taylorsville, who is a special-education teacher, heralded the measure as a triumph in state rights. Holdaway says he believes the federal government has no place dictating specific education guidelines.

"The kids and the parent and the teacher in the classroom — that's important," he said.

Despite a warning from the U.S. Secretary of Education Margaret Spellings that Utah could eventually lose millions in federal money, Huntsman said he believes state education chiefs will successfully manage the state and federal guidelines.

"The signing of this legislation is not triggering non-compliance (with the federal government)," he said.

When there's confusion over NCLB — President Bush's signature education law — the measure tells state education officials to consult the 123 pages of Utah law addressing education instead of consulting supplementary NCLB material provided by the U.S. Department of Education, Dayton said.

The Utah State Office of Education developed its own system of collecting data on schools, called U-PASS, the Utah Performance Assessment System for Students.

"We will interpret (for) the best interests of the students," Dayton said after the signing ceremony.

Amelia Earhart Elementary failed NCLB guidelines because three special education students didn't do well on standardized tests.

But Dayton questioned whether the students should have been given grade-level tests. Another federal law, the Individuals with Disabilities Education Act, states that such students should only be tested on their abilities — one of the contradictions in federal law, Dayton said.

State Superintendent of Public Instruction Patti Harrington expects to continue to comply with many aspects of NCLB because \$107 million in federal money is at stake.

It'll be a "dual system" of state and federal guidelines and data reporting, she said.

U-PASS collects extensive data on schools — class sizes, teacher experience, scores on state and national tests — and recognizes student improvement from year to year even if they're not achieving state testing standards.

The accountability part, the state's judgment on school performance, is not yet in effect.

Spellings has said that Utah students could be hurt by U-PASS because poor test scores will be hidden in student averages and accountability is fuzzy. Funds for Utah's Title I schools, populated by students of low-income families, could be in jeopardy, she said.

However, Harrington has requested meetings with Spellings to discuss NCLB and the situations of Utah schoolchildren, including Huntsman's projections that 150,000 more students will enter Utah schools by the end of the decade.

Spellings has not replied to such requests, Harrington said.

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