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Reading First: Implementation Issues and Controversies

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Gail McCallion
Domestic Social Policy Division

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Summary

The Reading First program was authorized as part of the Elementary and Secondary Education Act through the No Child Left Behind Act of 2001 (NCLBA). Reading First was drafted with the intent of incorporating scientifically based reading research (SBRR) on what works in teaching reading to improve and expand K-3 reading programs to address concerns about student reading achievement and to reach children at younger ages.

The Reading First program has required significant startup time on the part of states. Because the program is complex and many of its requirements are new, it has taken time for states and local educational agencies (LEAs) to put together the necessary staff, curriculum, assessment, and evaluation components for the program. By the end of October 2003, all states and the District of Columbia had received their FY2002 and FY2003 Reading First awards. Puerto Rico's situation is unique because it did not spend the first Reading First funds it received (for FY2003), and it declined funds for FY2004 because of disagreements with the U.S. Department of Education (ED) over instruction and methods to be employed.

The Reading First program has been the subject of ongoing controversy. Some of the criticisms of the program have centered on the perceived "overprescriptiveness" of the program as it has been administered, perceptions of insufficient transparency regarding ED's requirements of states, and allegations of conflicts of interest between consultants to the program and commercial reading and assessment companies. Three groups representing different reading programs have filed separate complaints with the ED's Office of Inspector General (OIG), asking that the program be investigated. The OIG is currently conducting an investigation of the Reading First program; OIG will reportedly be examining the state application process and the role of consultants and technical advisors to the program. On September 23, 2005, the Senate Committee on Health, Education, Labor and Pensions submitted a request to the Government Accountability Office to conduct an investigation of questions related to the implementation of the Reading First program.

Controversies have also arisen regarding the application of the SBRR requirements in the NCLBA to the Reading First program. The issues that have arisen regarding implementation of SBRR reflect the current state of SBRR and the difficulties of applying existing research to concrete educational interventions. Some observers have noted that there are many areas of education research with few if any studies based on randomized control trials, viewed by many as the "gold standard" of scientifically based research. Although there is also more user-friendly guidance available, there is very little to date that reflects evaluations of concrete educational interventions and meets the criteria of SBRR. Some critics of ED's implementation of Reading First have also argued that ED has unduly "narrowed" the definition of SBRR, causing states to be unnecessarily limited in their choices of reading programs, assessments and professional development packages. This report will be updated periodically.

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Reading First: Implementation Issues and Controversies

The reauthorization of the Elementary and Secondary Education Act in the No Child Left Behind Act of 2001 (NCLBA) authorized three new reading programs: Reading First, Early Reading First, and Improving Literacy Through School Libraries. The NCLBA also reauthorized the William F. Goodling Even Start Family Literacy Programs. This report focuses on the Reading First program.

Reading First was drafted with the intent of incorporating scientifically based research on what works in teaching reading to improve and expand K-3 reading programs to address concerns about student reading achievement and to reach children at younger ages.

The Reading First program includes both formula grants (states are allocated funds in proportion to the estimated number of children, aged 5 to 17, who reside within the state from families with incomes below the poverty line) and targeted assistance grants to states.¹ For the first two years of the program, 100% of funds, after national reservations, was allocated to states as formula grants. States then competitively award grants to eligible local educational agencies (LEAs). LEAs that receive Reading First grants *shall* use those funds for the following purposes:

1. Selecting and administering screening, diagnostic, and classroom-based instructional reading assessments.
2. Selecting and implementing a learning system or program of reading instruction based on scientifically based reading research that includes the essential components of reading instruction.
3. Procuring and implementing classroom instructional materials based on scientifically based reading research.
4. Providing professional development for teachers of grades K-3, and special education teachers of grades K-12.
5. Collecting and summarizing data to document the effectiveness of these programs; and accelerating improvement of reading instruction by identifying successful schools.
6. Reporting student progress by detailed demographic characteristics.
7. Promoting reading and library programs that provide access to stimulating reading material.

¹ The NCLBA specifies that beginning with FY2004, 10% of funds in excess of the FY2003 appropriation or \$90 million, whichever is less, be reserved for targeted assistance state grants. Targeted assistance grants are intended to reward schools that are achieving the goals of increasing the percentage of 3rd graders who are proficient readers and improving the reading skills of 1st and 2nd graders.

LEAs *may* use Reading First funds for the Prime Time Family Reading Time program;² for training parents and other volunteers as reading tutors; and for assisting parents to encourage and provide support for their child's reading development.³

Implementation Status

The Reading First program has required significant start up time on the part of states. Because the program is complex and many of its requirements are new, it has taken time for states and LEAs to put together the necessary staff, curriculum, assessment, and evaluation components for the program. By the end of October 2003, all states and the District of Columbia had received their FY2002 and FY2003 Reading First awards. The Virgin Islands received its first Reading First funds in September of 2004. Reading First state grants are awarded for a six-year period, pending a satisfactory midterm review. According to the U.S. Department of Education (ED), only two states were able to distribute Reading First money to LEAs for the 2002-03 school year. Twenty-seven states conducted their first distribution of Reading First funds to LEAs for the 2003-04 school year, and for the 2004-05 school year, 24 additional states awarded their first Reading First grants to LEAs.⁴ The Virgin Islands awarded its first grants for the 2005-06 school year. Puerto Rico's situation is unique because it did not spend the first Reading First funds it received (for FY2003), and it declined funds for FY2004 because of disagreements with ED over instruction and methods to be employed. Puerto Rico is, however, apparently planning to reapply for FY2005 funding — it has until September of 2006 to do so.⁵

The NCLBA specifies that a midterm peer review of states' performance in the Reading First program be conducted after the completion of the program's third grant period (which would mean a review would have occurred in the fall of 2005). Because of the time involved in initial implementation of the program, ED is making some adjustments to the timeline. Since many states have insufficient data at this point for a useful review, ED will be conducting midterm reviews on a rolling basis. This would allow all states to have participated in three grant cycles, as envisioned by the statute, before they undergo a mid-term peer review. Similarly, the awarding of the first targeted assistance grants was delayed so that there will be more states meeting the requirement of having one year of baseline data and two years of follow up data showing improvement. States that wished to be considered for one of the first round of targeted assistance grants were required to have submitted an

² The Prime Time Family Reading Time program is a 6-8 week program of storytelling and discussion held at public libraries based on award winning children's books.

³ CRS Report RL31241, *Reading First and Early Reading First: Background and Funding*, by Gail McCallion.

⁴ Based on April 15, 2005 and October 10, 2005 conversations with Sandi Jacobs, a senior education program specialist with ED.

⁵ Kathleen Kennedy Manzo, "Puerto Rico Still Has No Reading First Funds," *Education Week*, November 30, 2005.

application by July 30, 2005. The first Reading First targeted assistance award (of approximately \$3 million) was awarded to Massachusetts in September of 2005.⁶

The Reading First program will be required to meet relatively extensive standards. In addition to mid-term reviews of states' performance, districts are required to track the progress of individual students, and states are required to submit annual evaluations to ED with data on overall school, district and state progress. ED has also contracted to have several evaluations of Reading First conducted. These evaluations include an impact study of Reading First's effect on student achievement. It is anticipated that the first report from this study, which is being conducted by Abt Associates and MDRC, will be available in 2006. In addition, ED has contracted with Abt Associates for an implementation study of Reading First which will be based on a nationally representative sample of schools participating in Reading First. Preliminary data from the implementation study will be available in the spring of 2006. ED is also conducting a descriptive study of the relationship between a school's receipt of Reading First funds and its rate of learning disabilities. The interim report is due out in the summer of 2006. Finally, ED contracted with RMC Research Corporation to sample grades K-3 in 20 states to see how well reading standards are aligned with the five essential components of reading delineated in Reading First. RMC issued its report in December of 2005.

Implementation Issues

Although evaluation data on the Reading First program will not be available until late 2006, anecdotal information from states indicates that they believe the Reading First program has led to positive changes in areas such as research-based professional development and availability of instructional resources and support services.⁷

A June 2005 report issued by The Center on Education Policy (CEP) provided data on the status of Reading First's implementation. The CEP report is based on state and district surveys and case studies conducted for its 2005 study on the No Child Left Behind Act, an overview of all state Reading First applications, an in depth review of 15 randomly selected state applications, and a review of revisions to state applications based on 10 representative states.

CEP's state surveys indicate that 40 out of the 49 states responding perceive ED as strictly or very strictly enforcing the Reading First program. Interestingly, only the adequate yearly progress requirements in the NCLBA were reported by more states as being strictly or very strictly enforced by ED:

⁶ The Massachusetts award was the only targeted assistance award for FY2005. The state annual performance report also served as an application for the targeted assistance grants, but the July deadline required states to push out their annual report on an expedited schedule (the annual report was not due until November 30, 2005).

⁷ Some states report having difficulty finding enough qualified staff for the program. Manzo, Kathleen Kennedy, "States Report Reading First Yielding Gains," *Education Week*, June 8, 2005.

This means that more states viewed Reading First as more strictly enforced than the NCLB requirements for public school choice, supplemental tutoring services, or highly qualified teachers.⁸

The CEP study also examined ED's administration of the state application process for Reading First grants. Many states were required to revise their initial application for Reading First grants one or more times before ultimately having their application accepted. The CEP found that "states are remarkably consistent in their selection of specific instruments for assessing students' reading progress." It noted that in their final applications almost all states used the *Dynamic Indicators of Basic Early Literacy Skills* (DIBELS) for their required assessments, and *A Consumer's Guide to Evaluating a Core Reading Program Grades K-3: A Critical Elements Analysis* (*Consumer's Guide*) to evaluate and choose a reading curriculum.⁹ CEP analysis of a sample of original and final applications from 10 states found that some modified their original applications to adopt these specific instruments:

In each case, 4 of the 10 states added DIBELS and the Consumer's Guide to their applications after initial review, and none dropped either item. In all, 9 of 10 states are using DIBELS and 8 of 10 are using the Consumer Guide.¹⁰

Additionally, the CEP study found that state recommendations of specific reading programs appear to have influenced districts' choice of reading programs. The survey of districts receiving Reading First funds found that half changed the reading programs used by the district to qualify for a grant from their state. And finally, the CEP study raised concerns about the apparent lack of emphasis on coordinating Reading First with other federal reading programs, particularly with Title I, Part A, of the Elementary and Secondary Education Act.

The Reading First program has been the subject of ongoing controversy about how it is being administered. Some of the criticisms of the program have centered on the perceived "overprescriptiveness" of the program as it has been administered, perceptions of insufficient transparency regarding ED's requirements of states, and allegations of conflicts of interest between consultants to the program and commercial reading and assessment companies:¹¹

No one doubts that the standard for approving funds was strict. But was it strict for the right reasons, and in the right way? A two-month investigation by the *Monitor* suggests the answer is, 'Not always.' Based on interviews with more than 70 educators and researchers involved with the program, and an analysis of hundreds of pages of state and federal documents, the investigation raises questions about whether the department adequately policed the program for

⁸ Scott, Caitlin and Tom Fagan, *Ensuring Academic Rigor or Inducing Rigor Mortis? Issues to Watch in Reading First*, Center on Education Policy, June 2005.

⁹ Both publications were produced by researchers at the University of Oregon.

¹⁰ Scott, Caitlin and Tom Fagan, *Ensuring Academic Rigor or Inducing Rigor Mortis? Issues to Watch in Reading First*, Center on Education Policy, June 2005.

¹¹ Andrew Brownstein and Travis Hicks, "Reading First Under Fire," *Title I Monitor*, Education Research Funding Council, Thompson Publishing Group. September 2005.

potential conflicts of interest and enacted reading policy with sufficient transparency.¹²

Scientifically Based Research and Reading First

There has been considerable debate in the field of education research on the value of different research methodologies, and on what types of research should receive priority for federal dollars. Many researchers argue that the type of research that is appropriate varies with the question that is being asked.¹³ However, many have also argued that scientifically-based research (SBR), and randomized controlled trials (RCTs) in particular, are the “gold standard” in research. RCT research protocol requires random assignment — with participants assigned randomly to either an experimental group that receives the treatment under investigation, or a control group that does not.¹⁴ RCTs are viewed by many as the most credible way to verify a cause-effect relationship, when the RCT study employs a well designed and implemented methodology with a large sample size. Nevertheless, RCT studies do not necessarily provide a one-size-fits all solution to all educational research needs. A CRS report analyzing RCTs included a summary of some of the potential limitations of putting too much emphasis on RCTs:

...RCTs are occasionally seen as impractical, unethical, requiring too much time, or being too costly compared to other designs that also seek to assess whether a program causes favorable outcomes. Finally, there is wide consensus that RCTs are particularly well suited for answering certain types of questions, but not others, compared to other evaluation research designs. For example, RCTs typically do not assess how and why impacts occur, how a program might be modified to improve program results, or a program’s cost-effectiveness. RCTs also typically do not provide a full picture of whether unintended consequences may have resulted from a program or indicate whether a study is using valid measures or concepts for judging a program’s success. Many of these kinds of questions have been considered to be more appropriately addressed with observational or qualitative designs.¹⁵

¹² Andrew Brownstein and Travis Hicks, “Reading First Under Fire,” *Title I Monitor*, Education Research Funding Council, Thompson Publishing Group. September 2005, p. 4.

¹³ “The scientific enterprise depends on a healthy community of researchers and is guided by a set of fundamental principles. These principles are not a set of rigid standards for conducting and evaluating individual studies, but rather are a set of norms enforced by the community of researchers that shape scientific understanding.” Richard Shavelson and Lisa Towne, Eds., *Scientific Research in Education*, National Research Council, National Academy Press, 2002.

¹⁴ Forthcoming CRS Report, *Congress and Program Evaluation: An Overview of Randomized Control Trials*, by Clinton Brass.

¹⁵ Forthcoming CRS Report, *Congress and Program Evaluation: An Overview of Randomized Control Trials*, by Clinton Brass.

Scientifically Based Research Requirements in the No Child Left Behind Act

The NCLBA has endorsed the use of SBR in funded activities, including over 100 references to the use of SBR in choosing instructional and assessment programs as well as for professional training programs, and other NCLBA funded activities. The emphasis is on experimental research, particularly RCTs.¹⁶

Programs in the NCLBA affected by the requirement that funded educational interventions be based on SBR include Title I, Part A, grants for the education of the disadvantaged, Reading First, Early Reading First, Even Start, Literacy Through School Libraries, Comprehensive School Reform, Improving Teacher Quality State Grants, Mathematics and Science Partnerships, English Language Acquisition State Grants, and Safe and Drug-Free Schools and Communities. This discussion focuses on the application of SBR to the Reading First program.

The NCLBA language authorizing Reading First makes clear that the intent of the program is to require recipients of Reading First funds to implement programs which are based on scientifically based reading research (SBRR). The definition of SBRR in the NCLBA, is as follows:

The term “scientifically based reading research” means research that —

(A) applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties; and (B) includes research that (i) employs systematic, empirical methods that draw on observation or experiment; (ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn; (iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and (iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.¹⁷

ED’s application of SBRR to the Reading First program draws extensively on the work conducted by the National Reading Panel (NRP). In 2000, the NRP issued a report titled: *Teaching Children to Read*. The NRP was convened by the National Institute of Child Health and Human Development (NICHD) in consultation with ED in response to a congressional charge to review the literature on reading and use it to assess the effectiveness of different techniques for teaching reading, and whether these techniques were ready to be applied to classroom settings. Based on the NRP’s

¹⁶ Some authors argue that in the context of encouraging basic educational research, SBR must be interpreted more broadly, in contrast to the more prescriptive definition of SBR contained in the NCLBA, “narrowly conceived for service providers trying to justify their use of federal dollars.” Margaret Eisenhart and Lisa Towne, Contestation and Change in National Policy on “Scientifically Based” Education Research, *Educational Researcher*, vol. 32, Oct. 2003.

¹⁷ Elementary and Secondary Education Act of 1965, Section 1208.

research, the NCLBA incorporated 5 essential components of reading as requirements for reading instruction funded under the Reading First program. These essential components are defined in the NCLBA as:

...explicit and systematic instruction in — (A) phonemic awareness; (B) phonics; (C) vocabulary development; (D) reading fluency, including oral reading skills; and (E) reading comprehension strategies.¹⁸

SBRR Implementation Issues

Application of Scientifically Based Reading Research to the Reading First Program. This section summarizes major implementation issues that have arisen regarding the application of SBRR to the Reading First program. Issues discussed here include ED’s implementation of SBRR requirements, and the implications of the current state of SBRR for states and LEAs trying to navigate and apply existing research and resources to their educational programs as well as maintain local autonomy in choosing curricula.

Implementing SBRR. Some criticisms have been raised regarding ED’s application of SBRR to the Reading First Program. For example, Robert Slavin, of the Success for All Program, has argued that the NCLBA’s requirement that interventions be based on SBR does not differentiate between programs that have themselves been rigorously evaluated and those programs that have not been rigorously evaluated for efficacy, but can cite SBR that supports their interventions. The Success for All Foundation argues in a letter to the Office of the Inspector General of the U.S. Dept. of Education (OIG), that ED has inappropriately narrowed the definition of scientifically based research in its implementation of the Reading First program:

In essence, through the implementation of Reading First, the U.S. Department of Education has narrowed the definition of SBRR to the five “essential components” of reading as identified by the National Reading Panel. Research on program efficacy has been ignored. Because Reading First was so closely managed by the U.S. Department of Education, and because it contains such a strong focus on the use of scientifically based research, it is paving the way for how states, districts and schools are coming to understand the meaning of SBR, and how they will apply it to other Federal programs.¹⁹

As a consequence of the alleged “narrowing” of the definition of SBRR, states have been unnecessarily limited in their choices of reading programs, assessments and professional development packages, according to critics of ED’s implementation of Reading First.

¹⁸ P.L. 107-110, Section 1207. [20 U.S.C. 6367]. CRS Report RL32145, *Early Intervention in Reading: An Overview of Research and Policy Issues*, by Gail McCallion.

¹⁹ Robert Slavin, *Letter to U.S. Department of Education*, The Success for All Foundation, May 27, 2005.

Limitations of Existing Research. Some of the controversies that have surrounded implementation of SBRR in the Reading First program reflect the current state of SBRR and the difficulties of applying existing research to concrete educational interventions. Some observers have noted that there are many areas of education research with few if any RCT studies to draw upon. Robert Boruch, who served on the National Research Council that produced the book: *Scientific Inquiry in Education*, stated in an interview with Education Week that “One cannot just demand controlled experiments... That’s akin to asking people to levitate.”²⁰

Some have argued that navigating the existing array of resources is difficult for states and LEAs because much of the research is academic. In addition, although there is more user-friendly material available than ever before, evaluations of the application of SBRR to concrete educational interventions is still very limited, and there is no single federal website or resource that currently catalogs and evaluates all the available user-friendly resources. The following discussion summarizes some of the resources that are currently available.

Identifying Relevant Resources. There are a variety of federally funded offices and resources that provide information, and/or technical assistance offering guidance on SBR to states and LEAs. There are also guides intended to provide user-friendly information on SBR, that states and LEAs can access through ED websites and publications. Online resources include a NCLBA website with information on SBR and related resources, a searchable ERIC database on education research, and access to educational statistics and National Assessment of Educational Progress (NAEP) data on ED’s National Center for Educational Statistics website.²¹ The Institute of Education Sciences (IES) has made publications and other resources available on SBR. In December of 2003 IES published a report titled: *“Identifying and Implementing Educational Practices Supported by Rigorous Evidence: A User Friendly Guide.”*

In addition, ED has awarded twenty five-year grants to new comprehensive centers to provide advice to states and LEAs on meeting the requirements of the NCLBA. There are also ten regional centers with functions defined in the Education Sciences Reform Act of 2002.²² One of these centers, the Mid-continent Research Center for Education and Learning, in conjunction with the Education Commission on the States (ECS), published a February 2004 publication titled: *A Policymaker’s Primer on Education Research: How to Understand, Evaluate and Use it*. ECS has also published user-friendly guides on teacher issues and maintains a 50 state database on teacher preparation, recruitment, and retention. Another of the regional centers funded by ED, the North Central Regional Education Laboratory, published

²⁰ Lynn Olson, “Law Mandates Scientific Based for Research,” *Education Week*, January 30, 2002.

²¹ [<http://www.ed.gov/nclb>], [<http://www.ed.gov/about/pubs/intro/pubdb.html>], [<http://www.nces.ed.gov>].

²² The mission of the regional centers includes serving regional needs, disseminating SBR, providing professional training and technical assistance, and responding to the needs of stakeholders to ensure the academic success of all students. *Responding to Regional Needs and National Priorities*, Regional Educational Laboratories, 2004 Annual Report.

a report in its Spring 2003 edition of Learning Point titled: *A Call for Evidence: Responding to the New Emphasis on Scientifically Based Research*.

These resources are however, not all centralized in one location, and relatively few provide analysis of specific educational instruction or assessment packages that might meet the SBR requirements of the NCLBA. It can be difficult for states and LEAs to sift through the volume of information that is available and find what they need to chose effective curriculum and assessment programs. Ellen Lagemann was interviewed by Education Week on the topic of SBR while working for the Spencer Foundation. She stated:

We have tended to think that if you do research and get results, that will be useful to practitioners. There's an intermediary step. You have to take the results of research and build it into toys, tools, tests, and texts. You have to build it into things that practitioners can use. They can't use the conclusions of a study.²³

ED's IES created a What Works Clearinghouse (WWC) to address this need for clear user-friendly information on SBR including evaluations of specific educational interventions.²⁴ The WWC has developed a list of research priorities and will be providing a topic report with reviews of educational interventions that have SBR to back up their efficacy claims. WWC also maintains a database with names of evaluators of educational interventions who can be contacted. To date, however, the WWC has completed only one topic report — on curriculum based interventions for increasing K-12 math achievement. ED has indicated that topic reports on interventions for beginning reading and on comprehensive school-wide character education interventions will be released shortly. In addition, several other topics are scheduled for WWC's review and ED has indicated they are scheduled to be released in 2006. As these reports become available, it is hoped that they will provide concrete assistance to practitioners by including evaluations of specific educational interventions that meet the WWC standard of evidence.

Resources on SBRR specifically targeted to the Reading First program have also been provided by ED. These include information and links to additional resources provided in the Reading First and NCLBA websites.²⁵ ED sponsored Reading First Leadership Academies to assist states with understanding and applying for Reading First grants, and it has issued nonregulatory guidance on Reading First.²⁶ In addition,

²³ Ms. Lagemann is a professor at the Harvard Graduate School of Education. Lynn Olson, "Law Mandates Scientific Based for Research," *Education Week*, January 30, 2002.

²⁴ [<http://www.w-w-c.org/>].

²⁵ [<http://www.ed.gov/programs/readingfirst/index.html>], [<http://www.ed.gov/nclb>].

²⁶ ED does not endorse any particular program and has stated in print that there is no approved list of reading programs. However, the Reading Recovery Council, among others, cites the naming of particular programs as acceptable in RF Leadership Academies as an indication of ED's preference for particular programs. *Investigation of Reading First Implementation Requested*, Reading Recovery Council of North America, August 23, 2005.

(continued...)

ED established a National Center for Reading First Technical Assistance to provide training to states and districts to assist with Reading First. It includes three regional centers operated by Florida State University, the University of Texas at Austin, and the University of Oregon. The RMC Research Corporation has a contract with ED to coordinate the work of these centers. According to ED in its March 1, 2004 issue of the *Achiever*:

Administrators and teachers will receive training in scientifically based reading research and instruction; assistance in reviewing reading programs and assessments; critiques of Reading First sub-grant applications and methods of scoring them; and training in using assessment data to improve student reading performance....Technical assistance will be provided through a range of learning opportunities, including national and regional conferences, institutes and seminars; training and professional development; on-site, telephone and e-mail consultations; and links to national reading experts.

The National Institute for Literacy (NIFL) is charged with the mission of disseminating information on SBRR as it relates to children, youth, and adults. NIFL is also to disseminate information on specific reading programs supported by SBR and information on effective classroom reading programs that have been implemented by states and LEAs. NIFL publications are available for downloading on their website.²⁷

Local Control. Perhaps in part because of the difficulties in finding specific information on SBRR based educational interventions that meet the requirements of the NCLBA, many states have chosen to rely upon a limited number of instructional, assessment and professional training programs. This has raised concerns by some about what they call the “overprescriptiveness” of ED’s application of SBRR to Reading First and the potential infringement on states’ and LEAs’ ability to choose curricula. Some argue that this “overprescriptiveness” is not consistent with section 9527 of the No Child Left Behind Act. This section states:

(a) GENERAL PROHIBITION — Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM. — Notwithstanding any other prohibition of Federal law, no funds provided to the Department under this Act may be used by the Department to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.²⁸

²⁶ (...continued)

²⁷ [<http://www.nifl.org>].

²⁸ Elementary and Secondary Education Act of 1965, Section 9527.

The CEP study discussed earlier in this report did find that states were “remarkably consistent” in their choice of programs. For example, the CEP study found that many states were required to revise their initial application for Reading First before it was accepted. CEP found that in their final accepted applications, almost all states used DIBELS for their required assessments and the *Consumer’s Guide* to evaluate and choose a reading curriculum. Additionally, the CEP study found that state recommendations of specific reading programs appear to have influenced districts’ choice of reading programs. The survey of districts receiving Reading First funds found that half changed the reading programs used by the district to qualify for a grant from their state.

Three groups representing different reading programs have filed separate complaints with the ED’s OIG, asking that the program be investigated. The OIG is currently conducting an investigation of the Reading First program. The OIG will reportedly be examining the state application process and the role of consultants and technical advisors to the program. The investigation is expected to take approximately one year.²⁹ The three groups that have filed complaints are: Dr. Cupp’s Readers and Journal Writers, Success For All, and the Reading Recovery Council of North America. On September 23, 2005, the Senate Committee on Health, Education, Labor and Pensions submitted a letter to the Government Accountability Office requesting an investigation of questions related to the implementation of the Reading First program.

A summary of the complaints included in The Reading Recovery Council’s letter to the OIG illustrates some of the major areas of concern:

The council charges that the Department has undermined state and local control, attempted to exclude one-to-one instruction, selectively applied scientifically based research criteria, and spread doubt and misinformation about Reading Recovery’s eligibility for funding.³⁰

Advocates of Reading First have countered that the program needs to be prescriptive in order to produce significant results. They argue that the success of Reading First will be in large part attributable to its strict requirement that programs implemented with Reading First funds be supported by scientifically based research:

Advocates have long argued that ‘entitlement’ programs like title I failed to improve reading scores because of a lack of quality control on how the money was spent.³¹

²⁹ Andrew Brownstein and Travis Hicks, “Reading First Under Fire,” *Title I Monitor*, Education Research Funding Council, Thompson Publishing Group, September 2005.

³⁰ *Investigation of Reading First Implementation Requested*, Reading Recovery Council of North America, August 23, 2005.

³¹ Andrew Brownstein and Travis Hicks, “Reading First Under Fire,” *Title I Monitor*, Education Research Funding Council, Thompson Publishing Group, September 2005, p.4