

MONTGOMERY COUNTY BOARD OF EDUCATION
Rockville, Maryland

April 28, 2011

MEMORANDUM

To: Members of the Board of Education

From: Laura Steinberg, Staff Assistant, Legislative and Inter-Governmental Relations

Subject: Reauthorization of *Elementary and Secondary Education Act of 1965*

Background

The *Elementary and Secondary Education Act of 1965* (ESEA) was enacted as a component of President Johnson's War on Poverty and designed to focus federal funding on poor schools with underachieving students. ESEA includes a series of programs such as Migrant Education, Rural Education, and Title I. Title I in particular was intended to improve education for students living in poverty and has become a mainstay of the law. In 1980, Congress established the Department of Education as a Cabinet level agency thereby elevating the issue of public education at the national level. A few years later, the National Commission on Excellence in Education issued the landmark report *A Nation at Risk: The Imperative for Educational Reform* which touched off a wave of local, state, and federal reform efforts. Each subsequent era has seen the law modified to reflect the prevailing theories on school reform.

In 1994, ESEA was reauthorized through the *Improving America's Schools Act* (IASA). This reauthorization emphasized standards-based education and assessment. Also in 1994 the *Goals 2000: Educate America Act* was passed. This Act broadened the focus of federal education policy to support state and local efforts to set challenging content and performance standards and raise the academic achievement of students. Goals 2000 and IASA were intended to work in concert to create an environment conducive to school reform efforts. The prevailing belief was that by raising standards and assessing student performance against those standards public education would generally improve.

From the passage of IASA to the turn of this new century, school systems invested in content standards, performance standards, collection of longitudinal data, and assessments. By 2000, 48 states, the District of Columbia, and Puerto Rico all had United States Department of Education approval of their content standards processes. These efforts set the context for the passage of the 2002 reauthorization of ESEA, *No Child Left Behind Act of 2001* (NCLB).

Key Elements

Moving beyond standards, this law places a distinct emphasis on assessment and accountability. Under NCLB, every state must track the achievement of all students against a common set of

standards. To ensure that school systems are held accountable for all students, NCLB requires accountability by subgroup. States were required to develop assessments to be given to all students in certain grades, if those states are to receive federal funding for schools. NCLB does not assert a national achievement standard; standards are set by each individual state. NCLB was predicated on the belief that accountability would fuel school reform. If school systems were required to report, by subgroup, how students were performing there would be public pressure to address underperforming schools. In particular, NCLB was designed to achieve the following goals:

- Reduce the achievement gap among various groups:
 - School as a whole
 - Racial/Ethnic groups (6 major racial/ethnic groups)
 - Economically disadvantaged
 - Students with disabilities
 - English language learners
- Improve the quality of education for all students
- Provide parents with more choices (Title I schools only)
- Require increased accountability
- Designate testing as the main method for accountability
- Mandate Standards Based Assessments for Grades 3–10

Adequate Yearly Progress

Under NCLB the system devised to hold school systems more accountable was based on the vision that by the year 2014 all students would meet the state's performance standards. The concept of *Adequate Yearly Progress* (AYP), the measuring of how schools were meeting state standards, was introduced. In order to meet AYP schools must do 3 things.

1. At least 95 percent of all students must take the tests.
2. The required percent of students must be proficient (or on grade level) in both mathematics and language arts. The required percent proficient in language arts and mathematics moves from year to year toward 100% of all students and groups of students being proficient (or 100% on grade level) by 2013–2014.
3. The school must meet the “other academic indicator.”
 - For elementary and middle school this is a 94 percent attendance rate.
 - For high school currently this is an 85.5 percent graduation rate.

A school would not make AYP if a school missed any of the targets (school may make AYP by Confidence Interval or Safe Harbor). There are a total of 31 targets a school must reach in order to make AYP.

- 10 groups meet the language arts requirements
- 10 groups meet the mathematics requirements
- 10 groups meet the 95 percent participation requirements
- 1 of the schools meets the “other academic indicator”

A series of increasing sanctions are applied if a school doesn't meet AYP.

Title I Schools

Years of Not Meeting AYP	Label	Requirements
1	Alert	All staff completes a School Inventory (MSDE Requirement)
2	School Improvement I	Peer Review of School Improvement Plan School Choice
3	School Improvement II	Peer Review of School Improvement Plan School Choice Supplemental Educational Services (SES)
4	Corrective Action	Peer Review of School Improvement Plan Complete a Root Cause Analysis Documented Corrective Action Steps to improve student achievement School Choice Supplemental Educational Services (SES)
5	Restructuring Planning	Peer Review of School Improvement Plan Develop a Plan for Restructuring Options School Choice Supplemental Educational Services (SES)
6	Restructuring	Peer Review of School Improvement Plan Implement Restructuring Plan School Choice Supplemental Educational Services (SES)

Non-Title I Schools

Years of Not Meeting AYP	Label	Requirements
1	Alert	All staff completes a School Inventory (MSDE Requirement)
2	School Improvement I	Peer Review of School Improvement Plan
3	School Improvement II	Peer Review of School Improvement Plan
4	Corrective Action	Peer Review of School Improvement Plan Complete a Root Cause Analysis Documented Corrective Action Steps to improve student achievement
5	Restructuring Planning	Peer Review of School Improvement Plan Develop a Plan for Restructuring Options
6	Restructuring	Peer Review of School Improvement Plan Implement Restructuring Plan

Highly qualified teachers and paraprofessionals

NCLB addressed teacher quality through provisions on teacher qualifications. Under NCLB expectations for teacher qualifications were outlined. All teachers of core academic subjects were required to meet new federal standards outlined below by June 30, 2006.

1. Must be fully certified
2. Must have a bachelor's degree
3. Must prove subject area competency in the subject taught by doing ONE of the following:
 - degree or advanced degree in the subject
 - major or equivalent in the subject
 - passing score on a state-approved test
 - passing score on a state evaluation tool
 - being Nationally Board Certified in the subject area

Paraprofessionals (teacher aides and tutors), in Title I schools only, also must meet new standards.

- Must have a high school diploma (or the equivalent), AND
- Must have a two-year college degree (or equivalent); OR
- Must pass a rigorous examination and evaluation.

Perspectives

In 2010, President Obama issued *A Blueprint for Reform*, which outlines the administration's perspective on the role of the federal government in school reform (Attachments 1a and 1b). Like earlier incarnations, it focuses on standards; it also attempts to design incentives for success and innovation. The Blueprint attempts to refocus the discussion from targets to progress and growth and from sanctions to a variety of incentives for success. The Blueprint builds on prior school reform efforts:

1. Improving teacher and principal effectiveness to ensure that every classroom has a great teacher and every school has a great leader;
2. Providing information to families to help them evaluate and improve their children's schools, and to educators to help them improve their students' learning;
3. Implementing college- and career-ready standards and developing improved assessments aligned with those standards; and
4. Improving student learning and achievement in America's lowest-performing schools by providing intensive support and effective interventions.

National School Boards Association

The National School Boards Association (NSBA), which represents the perspective of state associations of school boards and their member districts, has said that NCLB established a

rigorous but theoretical accountability system for the nation's public schools (Attachments 2a, 2b, and 2c). NSBA is concerned that what has evolved in the name of accountability is a measurement framework that bases its assessment of school quality on a student's performance on a single assessment. Additionally, NSBA is concerned that a series of overbroad sanctions are mandated, and, to date, not yet proven to have a significant impact on improving student and/or school performance.

While NSBA is in strong support of the goals of the program, including strengthened accountability, and focusing on the performance of student groups, there is opposition to overemphasis on high stakes testing, influence of invalid assessments, and mandated sanctions not based in research.

In March 2010, NSBA developed a comprehensive, strategic framework for reauthorization which includes nearly 40 specific recommendations. If adopted the recommendations would:

- Ensure greater overall flexibility to make educationally sound decisions, and be free of mandates that unnecessarily or counterproductively hinder school districts from achieving their goals.
- Ensure high-quality, valid, and reliable assessments for all students, including English language learners and students with disabilities.
- Support the use of multiple measures of academic achievement that will more accurately determine students' knowledge and performance.
- Permit the use of growth models and other measures of student achievement that more accurately reflect student and school performance.
- Facilitate strategic interventions that are designed at the local or state level and are targeted to students and schools most in need, rather than impose ineffective and costly sanctions.
- Provide states and school districts support and ensure flexibility to establish programs to enhance teacher/principal quality focusing on preparation, recruitment, retention, and evaluation.
- Support efforts by school districts, through a separate funding stream, to develop, expand, coordinate, and enhance the quality and availability of voluntary preschool programs for all 3- and 4-year-old children.
- Fully fund the law, along with other federal assistance programs that are critical to successfully achieving the goals of the new law.

American Association of School Administrators

The American Association of School Administrators (AASA) is the professional organization for more than 13,000 educational leaders in the United States and throughout the world (Attachments 3a, 3b, and 3c). AASA members range from chief executive officers, superintendents, and senior level school administrators to cabinet members, professors, and aspiring school system leaders. AASA advocates for children, advances the goals of public education, and helps to shape policy and to oversee its implementation.

AASA believes that ESEA should be reframed to create a continuum of support based on a continuum of need. It should provide a systemic plan to improve schools rather than a disjointed collection of unrelated programs. In March 2010, AASA issued its position on the reauthorization and provided the following overview of its position.

- If reauthorization does not happen this year, school districts must be given immediate relief from the harmful sanctions of NCLB.
- The limited federal dollars must be focused on students in poverty. That focus should be based on percentages of students in poverty, not raw numbers.
- Federal funding should be based on formulas not competitive grants. Competitive grants lead to inequality and are not financially stable in these economic times.
- The accountability system should be made up of measures of growth that differentiate levels of success. States should be encouraged to adopt systems of assessments that give teachers and principals the information they need to improve individual student achievement.
- Common Core State Standards should be considered one of several ways for states to adopt college- and career-ready standards.
- Determining teacher evaluation criteria should remain a local decision.
- Federal agencies should coordinate services provided to students impacted by poverty.

National Governors Association

The National Governors Association (NGA) is a bipartisan organization of the nation's governors whose mission is to promote visionary state leadership, share best practices, and speak with a unified voice on national policy (Attachment 4). Through the organization, governors identify priority issues and deal collectively with matters of public policy and governance at the state and national levels. NGA supports the tenets of NCLB and are committed to closing the achievement gap, and ultimately, improving achievement among all students. They have stated that in reauthorizing NCLB, Congress should reinforce and support sound state education practices, roll back restrictions on states' ability to align and integrate delivery systems for students, assist and recognize the needs of our nation's teachers, and ultimately, support state efforts to raise student achievement.

In February 2010, the NGA issued a policy statement on education reform. Among the recommendations are the following:

- Align the requirements, goals, and outcomes of NCLB with other federal education and workforce laws.
- Permit maximum flexibility in designing state accountability systems.
- Continue to assess students in reading and mathematics in Grades 3–8, as well as once in high school.
- Permit the use of voluntary growth models to measure AYP while providing flexibility for limited English proficiency and students with disabilities.
- Support strategies to recruit, prepare, and retain highly qualified educators.

- Offer rewards or incentives for raising student performance and holding schools to high standards.
- Provide states with the time, flexibility, technical assistance, and clear authority to resolve problems and assist schools in need of improvement.
- Provide greater and broader waiver authority.
- Continue to focus on rigorous curricula in the areas of Science, Technology, Engineering, and Mathematics (STEM) technology, literacy, and complementary subject areas.
- Continue to support other programs that address issues such as parent/guardian involvement, safe and drug free schools, healthy students, and other innovative programs.

Forum on Educational Accountability

The Forum on Educational Accountability (FEA) is a coalition of organizations formed to promote positive changes to NCLB and related federal laws and policies aimed at closing the achievement gap and improving achievement for all students (Attachment 5a and 5b). Each organization is committed to NCLB's objectives of strong academic achievement for all children and closing the achievement gap, believes that the federal government has a critical role to play in attaining these goals, and endorses the use of an accountability system that helps ensure all children, including children of color, from low-income families, with disabilities, and of limited English proficiency, are prepared to be successful, participating members of our democracy.

A Joint Organizational Statement on NCLB, initially issued in October 2004, has been signed onto by 153 education, civil rights, religious, children's, disability, civic, and labor organizations. The Joint Statement made the following recommendations regarding reauthorization.

- Replace arbitrary proficiency targets with ambitious achievement targets based on rates of success actually achieved by the most effective public schools.
- Measure progress by using students' growth in achievement, as well as their performance in relation to predetermined levels of academic proficiency.
- Ensure regular public reporting.
- Use multiple indicators of student achievement in addition to these tests.
- Fund research and development of more effective accountability systems that better meet the goal of high academic achievement for all children.
- Help states develop assessment systems that include district and school-based measures in order to provide better, more timely information about student learning.
- Require assessments be aligned with state content and achievement standards, be valid and reliable, be consistent with technical standards, and provide multiple measures and useful diagnostic information.
- Decrease the testing burden on states, schools, and districts.
- Ensure changes in teacher and administrator preparation and continuing professional development that research evidence and experience indicate improve educational quality and student achievement.

- Enhance state and local capacity to effectively implement the comprehensive changes required to increase the knowledge and skills of administrators, teachers, families, and communities to support high student achievement.
- Ensure that improvement plans are allowed sufficient time to take hold before applying sanctions; sanctions should not be applied if they undermine existing effective reform efforts.
- Replace sanctions that do not have a consistent record of success with interventions that enable schools to make changes that result in improved student achievement.
- Raise authorized levels of NCLB funding to cover a substantial percentage of the costs that states and districts will incur to carry out these recommendations, and fully fund the law at those levels without reducing expenditures for other education programs.
- Fully fund Title I to ensure that 100 percent of eligible children are served.

Current Status of Reauthorization

The ESEA has been up for reauthorization since 2007. U.S. Secretary of Education Arne Duncan has said that it is his top priority, while President Obama has called on Congress to take action before the start of the 2011–2012 school year. Several stakeholder groups have suggested if reauthorization cannot be completed by then, then legislation should be enacted to defer implementation of sanctions in the current bill.

A recent letter to leadership of the Health, Education, Labor and Pensions Committee from the Council of State School Officers succinctly summarized the major concerns stating that “stakeholders are not willing to wait much longer for a new version of ESEA to begin implementing new reforms.” They have challenged the Congress and Administration to make ESEA reauthorization a top bipartisan priority and warned that if delayed, they intend to exercise their authority which permits states to develop and propose to the Secretary of Education for approval new policy models (Attachment 6).

At the table for today’s meeting are Ms. Laura Steinberg, staff assistant, Office of the Board of Education; Mr. Reginald Felton, director of federal relations, National School Boards Association; Mr. John R. Woolums, director of governmental relations, Maryland Association of Boards of Education, and Ms. Sarah Schenning, staff, Office of Congressman Chris Van Hollen.

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Attachments



U . S . D E P A R T M E N T O F E D U C A T I O N

A Blueprint for Reform

The Reauthorization of the Elementary and Secondary Education Act

college- and career-ready students



equity and opportunity

great teachers and leaders



raise the bar and reward excellence



promote innovation

A BLUEPRINT FOR REFORM

*The Reauthorization of the
Elementary and Secondary Education Act*

UNITED STATES DEPARTMENT OF EDUCATION

March 2010

U.S. Department of Education

Arne Duncan

Secretary of Education

Office of Planning, Evaluation and Policy Development

Carmel Martin

Assistant Secretary

March 2010

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PRESIDENT BARACK OBAMA

Every child in America deserves a world-class education.

Today, more than ever, a world-class education is a prerequisite for success. America was once the best educated nation in the world. A generation ago, we led all nations in college completion, but today, 10 countries have passed us. It is not that their students are smarter than ours. It is that these countries are being smarter about how to educate their students. And the countries that out-educate us today will out-compete us tomorrow.

We must do better. Together, we must achieve a new goal, that by 2020, the United States will once again lead the world in college completion. We must raise the expectations for our students, for our schools, and for ourselves – this must be a national priority. We must ensure that every student graduates from high school well prepared for college and a career.

A world-class education is also a moral imperative – the key to securing a more equal, fair, and just society. We will not remain true to our highest ideals unless we do a far better job of educating each one of our sons and daughters. We will not be able to keep the American promise of equal opportunity if we fail to provide a world-class education to every child.

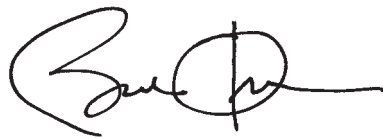
This effort will require the skills and talents of many, but especially our nation's teachers, principals, and other school leaders. Our goal must be to have a great teacher in every classroom and a great principal in every school. We know that from the moment students enter a school, the most important factor in their success is not the color of their skin or the income of their parents – it is the teacher standing at the front of the classroom. To ensure the success of our children, we must do better to recruit, develop, support, retain, and reward outstanding teachers in America's classrooms.

Reforming our schools to deliver a world-class education is a shared responsibility – the task cannot be shouldered by our nation's teachers and principals alone. We must foster school environments where teachers have the time to collaborate, the opportunities to lead, and the respect that all professionals deserve. We must recognize the importance of communities and families in supporting their children's education, because a parent is a child's first teacher. We must support families, communities, and schools working in partnership to deliver services and supports that address the full range of student needs.

This effort will also require our best thinking and resources – to support innovative approaches to teaching and learning; to bring lasting change to our lowest-performing schools; and to investigate and evaluate what works and what can work better in America’s schools. Instead of labeling failures, we will reward success. Instead of a single snapshot, we will recognize progress and growth. And instead of investing in the status quo, we must reform our schools to accelerate student achievement, close achievement gaps, inspire our children to excel, and turn around those schools that for too many young Americans aren’t providing them with the education they need to succeed in college and a career.

My Administration’s blueprint for reauthorization of the Elementary and Secondary Education Act is not only a plan to renovate a flawed law, but also an outline for a re-envisioned federal role in education. This is a framework to guide our deliberations and shared work – with parents, students, educators, business and community leaders, elected officials, and other partners – to strengthen America’s public education system.

I look forward to working with the Congress to reauthorize the Elementary and Secondary Education Act so that it will help to provide America’s students with the world-class education they need and deserve.





Priorities in a Blueprint for Reform

This blueprint builds on the significant reforms already made in response to the American Recovery and Reinvestment Act of 2009 around four areas: (1) Improving teacher and principal effectiveness to ensure that every classroom has a great teacher and every school has a great leader; (2) Providing information to families to help them evaluate and improve their children's schools, and to educators to help them improve their students' learning; (3) Implementing college- and career-ready standards and developing improved assessments aligned with those standards; and (4) Improving student learning and achievement in America's lowest-performing schools by providing intensive support and effective interventions.

Incorporating and extending this framework, this blueprint for a re-envisioned federal role builds on these key priorities:

(1) College- and Career-Ready Students

Raising standards for all students. We will set a clear goal: Every student should graduate from high school ready for college and a career, regardless of their income, race, ethnic or language background, or disability status. Following the lead of the nation's governors, we're calling on all states to develop and adopt standards in English language arts and mathematics that build toward college- and career-readiness by the time students graduate from high school. States may choose to upgrade their existing standards or work together with other states to develop and adopt common, state-developed standards.

Better assessments. We will support the development and use of a new generation of assessments that are aligned with college- and career-ready standards, to better determine

whether students have acquired the skills they need for success. New assessment systems will better capture higher-order skills, provide more accurate measures of student growth, and better inform classroom instruction to respond to academic needs.

A complete education. Students need a well-rounded education to contribute as citizens in our democracy and to thrive in a global economy – from literacy to mathematics, science, and technology to history, civics, foreign languages, the arts, financial literacy, and other subjects. We will support states, districts, school leaders, and teachers in implementing a more complete education through improved professional development and evidence-based instructional models and supports.

(2) Great Teachers and Leaders in Every School

Effective teachers and principals. We will elevate the teaching profession to focus on recognizing, encouraging, and rewarding excellence. We are calling on states and districts to develop and implement systems of teacher and principal evaluation and support, and to identify effective and highly effective teachers and principals on the basis of student growth and other factors. These systems will inform professional development and help teachers and principals improve student learning. In addition, a new program will support ambitious efforts to recruit, place, reward, retain, and promote effective teachers and principals and enhance the profession of teaching.



Our best teachers and leaders where they are needed most. Our proposal will provide funds to states and districts to develop and support effective teachers and leaders, with a focus on improving the effectiveness of teachers and leaders in high-need schools. We will call on states and districts to track equitable access to effective teachers and principals, and where needed, take steps to improve access to effective educators for students in high-poverty, high-minority schools.

Strengthening teacher and leader preparation and recruitment. We need more effective pathways and practices for preparing, placing, and supporting beginning teachers and principals in high-need schools. States will monitor the effectiveness of their traditional and alternative preparation programs, and we will invest in programs whose graduates are succeeding in the classroom, based on student growth and other factors.

(3) Equity and Opportunity for All Students

Rigorous and fair accountability for all levels. All students will be included in an accountability system that builds on college- and career-ready standards, rewards progress and success, and requires rigorous interventions in the lowest-performing schools. We will celebrate the Reward states, districts, and schools that do the most to improve outcomes for their students and to close achievement gaps, as well as those who are on the path to have all students graduating or on track to graduate ready for college and a career by 2020. All schools will be aiming to do their part to help us reach that ambitious goal, and for most schools, leaders at the state, district, and school level will enjoy broad flexibility to determine how to get there.

But in the lowest-performing schools that have not made progress over time, we will ask for dramatic change. To ensure that responsibility for improving student outcomes no longer falls solely at the door of schools, we will also promote accountability for states and districts that are not providing their schools, principals, and teachers with the support they need to succeed.

Meeting the needs of diverse learners. Schools must support all students, including by providing appropriate instruction and access to a challenging curriculum along with additional supports and attention where needed. From English Learners and students with disabilities to Native American students, homeless students, migrant students, rural students, and neglected or delinquent students, our proposal will continue to support and strengthen programs for these students and ensure that schools are helping them meet college- and career-ready standards.

Greater equity. To give every student a fair chance to succeed, and give principals and teachers the resources to support student success, we will call on school districts and states to take steps to ensure equity, by such means as moving toward comparability in resources between high- and low-poverty schools.

(4) Raise the Bar and Reward Excellence

Fostering a Race to the Top. Race to the Top has provided incentives for excellence by encouraging state and local leaders to work together on ambitious reforms, make tough choices, and develop comprehensive plans that change policies and practices to improve outcomes for students. We will continue Race to the Top's incentives for systemic reforms at the state level and expand the program to school districts that are willing to take on bold, comprehensive reforms.

Supporting effective public school choice. We will support the expansion of high-performing public charter schools and other autonomous public schools, and support local communities as they expand public school choice options for students within and across school districts.

Promoting a culture of college readiness and success. Access to a challenging high school curriculum has a greater impact on whether a student will earn a 4-year college degree than his or her high school test scores, class rank, or grades. We will increase access to college-level, dual credit, and other accelerated courses in high-need schools and support college-going strategies and models that will help students succeed.

(5) Promote Innovation and Continuous Improvement

Fostering innovation and accelerating success. The Investing in Innovation Fund will support local and nonprofit leaders as they develop and scale up programs that have demonstrated success, and discover the next generation of innovative solutions.

Supporting, recognizing, and rewarding local innovations. Our proposal will encourage and support local innovation by creating fewer, larger, more flexible funding streams around areas integral to student success, giving states and districts flexibility to focus on local needs. New competitive funding streams will provide greater flexibility, reward results, and ensure that federal funds are used wisely. At the same time, districts will have fewer restrictions on blending funds from different categories with less red tape.

Supporting student success. Tackling persistent achievement gaps requires public agencies, community organizations, and families to share responsibility for improving outcomes for students. We will prioritize programs that include a comprehensive redesign of the school day, week, or year, that promote schools as the center of their communities, or that partner with community organizations. Our proposal will invest in new models that keep students safe, supported, and healthy both in and out of school, and that support strategies to better engage families and community members in their children's education.

A detailed architectural floor plan of a building, rendered in light blue and purple lines. The plan shows various rooms, corridors, and structural elements like stairs and ramps. A yellow banner is overlaid across the middle of the plan, containing the title text.

College- and Career-Ready Students

The goal for America's educational system is clear: Every student should graduate from high school ready for college and a career. Every student should have meaningful opportunities to choose from upon graduation from high school. But while all states have developed and implemented standards as required under the Elementary and Secondary Education Act (ESEA), in many cases these standards do not reflect the knowledge and skills needed for success after high school, either in further education or in a job. Four of every 10 new college students, including half of those at 2-year institutions, take remedial courses, and many employers comment on the inadequate preparation of high school graduates. And while states have developed assessments aligned with their standards, in many cases these assessments do not adequately measure student growth or the knowledge and skills that students need, nor do they provide timely, useful information to teachers. We must follow the lead of the nation's governors and challenge students with state-developed, college- and career-ready standards, and more accurately measure what they are learning with better assessments. We must reward the success of schools that are making significant progress, ask for dramatic change in the lowest-performing schools, and address persistent gaps in student academic achievement and graduation rates.

A New Approach

- ▶ **Supporting college- and career-ready standards, preparing college- and career-ready students.**
- ▶ **Rewarding progress and success.**
- ▶ **Turning around the lowest-performing schools.**

COLLEGE- AND CAREER-READY STUDENTS

Our proposal will maintain formula grants to high-poverty school districts, while making significant changes to better support states, districts, and schools, including middle and high schools, in improving achievement for all groups of students, including low-income and minority students, English Learners, and students with disabilities.

Rigorous College- and Career-Ready Standards. Following the lead of the nation's governors and state education leaders, we're calling on all states to adopt state-developed standards in English language arts and mathematics that build toward college- and career-readiness by the time students graduate from high school, and high-quality statewide assessments aligned with these standards. States may either choose to upgrade their existing standards, working with their 4-year public university system to certify that mastery of the standards ensures that a student will not need to take remedial coursework upon admission to a postsecondary institution in the system; or work with other states to create state-developed common standards that build toward college- and career-readiness. To ensure that all students are learning what they need to succeed, standards must be based on evidence regarding what students must know and be able to do at each grade level to be on track to graduate from high school college- and career-ready. Such standards will also give families and communities the information they need to determine whether their students are on track to college- and career-readiness and to evaluate their schools' effectiveness. States will continue to implement statewide science standards and aligned assessments in specific gradespans, and may include such assessments – as well as statewide assessments in other subjects, such as history – in their accountability system. Finally, states will develop and adopt statewide English language proficiency standards for English Learners, aligned so that they reflect the academic language necessary to master the state's content standards.

Rigorous and Fair Accountability and Support at Every Level. Building on these statewide standards and aligned assessments, every state will ensure that its statewide system of accountability rewards schools and districts for progress and success, requires rigorous interventions in the lowest-performing schools and districts, and allows local flexibility to determine the appropriate improvement and support strategies for most schools.

To foster public accountability for results and help focus improvement and support efforts, states must have data systems in place to gather information that is critical to determining how schools and districts are progressing in preparing students to graduate from high school college- and career-ready. States and districts will collect and make public data relating to student academic achievement and growth in English language arts and mathematics, student academic achievement in science, and if states choose, student



academic achievement and growth in other subjects, such as history. At the high school level, this data will also include graduation rates, college enrollment rates, and rates of college enrollment without need for remediation. All of these data must be disaggregated by race, gender, ethnicity, disability status, English Learner status, and family income. States and districts also will collect other key information about teaching and learning conditions, including information on school climate such as student, teacher and school leader attendance; disciplinary incidents; or student, parent, or school staff surveys about their school experience.

Measuring and Supporting Schools, Districts, and States. State accountability systems will be asked to recognize progress and growth and reward success, rather than only identify failure. To ensure that accountability no longer falls solely at the doors of schools, districts and states will be held accountable for providing their schools, principals and teachers with the support they need to succeed. We will ask States to recognize and reward schools and districts making the most progress, provide flexibility for local improvement efforts, and focus the most rigorous support and interventions on the very lowest-performing schools and districts.

We will call on states, districts and schools to aim for the ambitious goal of all students graduating or on track to graduate from high school ready for college and a career by 2020. Performance targets, based on whole-school and subgroup achievement and growth, and graduation rates, will guide improvement toward that ambitious goal, and those that are meeting all of their performance targets will be recognized and rewarded. States, districts and schools will look not just at absolute performance and proficiency,

but at individual student growth and school progress over time, and the additional data described above, to guide local improvement and support strategies for schools.

The schools, districts, and states that are successful in reaching performance targets, significantly increasing student performance for all students, closing achievement gaps, or turning around the lowest-performing schools (at the district and state level) will be recognized as Reward schools, districts and states. States will receive funds to design innovative programs to reward high-poverty Reward schools and Reward districts. Rewards may include financial rewards for the staff and students and development of and participation in “communities of practice” to share best practices and replicate successful strategies to assist lower-performing schools and districts. Rewards may also include flexibility in the use of ESEA funds and, as appropriate, competitive preference for Reward states, high-need Reward districts, and high-need Reward schools in some federal grant competitions. Reward districts will also be given flexibility in implementing interventions in their lowest-performing schools, described further below.

At the other end of the spectrum will be Challenge states, districts, and schools. States will identify Challenge schools that are in need of specific assistance. The first category of Challenge schools will be the lowest-performing five percent of schools in each state, based on student academic achievement, student growth, and graduation rates, that are not making progress to improve. In these schools, states and districts will be required to implement one of four school turnaround models, to support better outcomes for students. Reward districts will receive flexibility to implement a different research-based intervention model, beyond the scope of the four school turnaround models. The next five percent of low-performing schools will be identified in a warning category, and States and districts will implement research-based, locally-determined strategies to help them improve.

Schools that are not closing significant, persistent achievement gaps will constitute another category of Challenge schools. In these schools, districts will be required to implement data-driven interventions to support those students who are farthest behind and close the achievement gap. For all Challenge schools, districts may implement strategies such as expanded learning time, supplemental educational services, public school choice, or other strategies to help students succeed.

Challenge districts whose schools, principals and teachers are not receiving the support they need to succeed may also face significant governance or staffing changes, including replacement of the superintendent. Both Challenge districts and states will face additional restrictions on the use of ESEA funds and may be required to work with an outside organization to improve student academic achievement.

Building Capacity for Support at Every Level. As we ask more of each level of the system, we will also build state and district capacity to support schools, school leaders,

teachers, and students. Our proposal will allow states and districts to reserve funds to carry out such activities as (i) supporting and complementing the adoption of rigorous standards and high-quality assessments, and supporting teachers in teaching to those standards; (ii) supporting the more effective use of data to identify local needs and improve student outcomes; (iii) improving capacity at the state and district levels to support the effective use of technology to improve instruction; (iv) coordinating with early learning programs to improve school readiness; or (v) carrying out effective family engagement strategies.

Districts will be required to set aside a portion of funds under this program to improve student performance in high-need schools, by implementing effective school improvement strategies and carrying out strategies to ensure the equitable distribution of effective teachers and school leaders. Reward districts will be allowed flexibility around this reservation.

Fostering Comparability and Equity. To give every student a fair chance to succeed and give principals and teachers the resources to support student success, we will encourage increased resource equity at every level of the system. Over time, districts will be required to ensure that their high-poverty schools receive state and local funding levels (for personnel and relevant nonpersonnel expenditures) comparable to those received by their low-poverty schools. In addition, districts that use their resources to provide strong support to disadvantaged students will be given additional flexibility to provide such support. States will be asked to measure and report on resource disparities and develop a plan to tackle them.

ASSESSING ACHIEVEMENT

Our proposal will maintain support for state efforts to improve the quality of their assessment systems, and to develop and implement the upgraded standards and assessments required by the College- and Career-Ready Students program. Improved assessments can be used to accurately measure student growth; to better measure how states, districts, schools, principals, and teachers are educating students; to help teachers adjust and focus their teaching; and to provide better information to students and their families.

States will receive formula grants to develop and implement high-quality assessments aligned with college- and career-ready standards in English language arts and mathematics that accurately measure student academic achievement and growth, provide feedback to support and improve teaching, and measure school success and progress. States may also use funds to develop or implement high-quality, rigorous statewide assessments in other academic or career and technical subjects, high school course assessments, English language proficiency assessments, and interim or formative assessments. Beginning in 2015, formula funds will be available only to states that are implementing assessments

based on college- and career-ready standards that are common to a significant number of states. The program also will support competitive grants to consortia of states, and to other entities working in partnership with states, for research on, or development and improvement of, additional high-quality assessments to be used by multiple states in such areas as science, history, or foreign languages; high school course assessments in academic and career and technical subjects; universally designed assessments; and assessments for English Learners and students with disabilities.

SCHOOL TURNAROUND GRANTS

Our proposal will make available significant grants to help states, districts, and schools implement the rigorous interventions required in each state's lowest-performing Challenge schools under the College- and Career-Ready Students program.

States will receive funds by formula and may reserve funds to build their capacity to improve low-performing schools, including developing and implementing effective school quality review teams to assist schools in identifying school needs and supporting school improvement. States will award the remainder of funds competitively to districts or partnerships of districts and nonprofit organizations to implement one of the following intervention models, to be selected locally, to ensure significant changes in the operation, governance, staffing, or instructional program of a school:

- ▶ *Transformation model*: Replace the principal, strengthen staffing, implement a research-based instructional program, provide extended learning time, and implement new governance and flexibility.
- ▶ *Turnaround model*: Replace the principal and rehire no more than 50 percent of the school staff, implement a research-based instructional program, provide extended learning time, and implement new governance structure.
- ▶ *Restart model*: Convert or close and reopen the school under the management of an effective charter operator, charter management organization, or education management organization.
- ▶ *School closure model*: Close the school and enroll students who attended it in other, higher-performing schools in the district.

Districts and their partners will receive 3-year awards to fully and effectively implement one of these intervention models, and will be eligible for two additional years of funding to support a school's ongoing improvement if the school is showing progress.

In addition, the Secretary will reserve a portion of School Turnaround Grants for additional activities designed to enhance state, district, and nonprofit capacity to improve schools, such as investing in model school quality review teams to identify school needs and support school improvement.



Great Teachers and Great Leaders

Of all the work that occurs at every level of our education system, the interaction between teacher and student is the primary determinant of student success. A great teacher can make the difference between a student who achieves at high levels and a student who slips through the cracks, and a great principal can help teachers succeed as part of a strong, well-supported instructional team. Research shows that top-performing teachers can make a dramatic difference in the achievement of their students, and suggests that the impact of being assigned to top-performing teachers year after year is enough to significantly narrow achievement gaps. We have to do more to ensure that every student has an effective teacher, every school has effective leaders, and every teacher and leader has access to the preparation, on-going support, recognition, and collaboration opportunities he or she need to succeed. Our proposals will ask states and districts to put in place the conditions that allow for teachers, principals, and leaders at all levels of the school system to get meaningful information about their practice, and support them in using this information to ensure that all students are getting the effective teaching they deserve.

A New Approach

- ▶ **Elevating the profession and focusing on recruiting, preparing, developing, and rewarding effective teachers and leaders.**
- ▶ **Focusing on teacher and leader effectiveness in improving student outcomes.**
- ▶ **Supporting states and districts that are willing to take bold action to increase the number of effective teachers and leaders where they are needed most.**
- ▶ **Strengthening pathways into teaching and school leadership positions in high-need schools.**



EFFECTIVE TEACHERS AND LEADERS

Our proposal will continue and improve formula grants to states and school districts to improve the effectiveness of teachers and leaders, and ensure that students in high-need schools are being taught by effective teachers in schools led by effective principals. To help meet these goals, states and districts may choose how to spend funds to meet local needs, as long as they are improving teacher and principal effectiveness and ensuring the equitable distribution of effective teachers and principals. To measure, develop, and improve the effectiveness of their teachers, leaders, and preparation programs, states and districts will be required to put in place a few specific policies and systems, including:

- ▶ Statewide definitions of “effective teacher,” “effective principal,” “highly effective teacher,” and “highly effective principal,” developed in collaboration with teachers, principals, and other stakeholders, that are based in significant part on student growth and also include other measures, such as classroom observations of practice. As states transition to using these measures of effectiveness, we will maintain the provisions of current law relating to “Highly Qualified Teachers,” but with additional flexibility.

- ▶ State-level data systems that link information on teacher and principal preparation programs to the job placement, student growth, and retention outcomes of their graduates.
- ▶ District-level evaluation systems that (i) meaningfully differentiate teachers and principals by effectiveness across at least three performance levels; (ii) are consistent with their state’s definitions of “effective” and “highly effective” teacher and principal; (iii) provide meaningful feedback to teachers and principals to improve their practice and inform professional development; and (iv) are developed in collaboration with teachers, principals, and other education stakeholders.

Developing Effective Teachers and Leaders. Both states and school districts will carry out strategies to develop effective teachers and leaders that meet their local needs.

States may use funds to recruit and develop effective teachers and principals, support the creation of effective educator career ladders, and improve teacher and principal certification and retention policies to better reflect a candidate’s ability to improve outcomes for students. Recognizing the importance of principal leadership in supporting teachers, states will work to improve the effectiveness of principals, through activities such as strengthening principal preparation programs and providing training and support to principals of high-need schools. States will also be required to develop meaningful plans to ensure the equitable distribution of teachers and principals that receive at least an “effective” rating. If states are unsuccessful in improving the equitable distribution of these teachers and principals, they will be required to develop and implement more rigorous plans and additional strategies more likely to improve equity.

School districts may use funds to develop and implement fair and meaningful teacher and principal evaluation systems, working in collaboration with teachers, principals, and other stakeholders; to foster and provide collaboration and development opportunities in schools and build instructional teams of teachers, leaders, and other school staff, including paraprofessionals; to support educators in improving their instructional practice through effective, ongoing, job-embedded, professional development that is targeted to student and school needs; and to carry out other activities to improve the effectiveness of teachers, principals, and other school staff, and ensure the equitable distribution of effective teachers and principals. Funds spent on strategies such as professional development and class size reduction must be aligned with evidence of improvements in student learning.

Districts that have put in place the required evaluation systems may generally spend funds flexibly, except that a district that is not improving equity in the distribution of effective teachers and principals will be required to submit a new plan to the state under which funds will be spent solely on ensuring its evaluation system meets the requirements described above and on specific activities aimed at improving the equitable distribution of effective teachers and principals.

Measuring Success. We will require transparency around the key indicators of whether students and schools have effective teachers and principals and whether teachers have the professional supports they need. Both states and districts must publish report cards at least every two years that provide information on key indicators, such as teacher qualifications and teacher and principal designations of effectiveness; teachers and principals hired from high-performing pathways; teacher survey data on levels of support and working conditions in schools; the novice status of teachers and principals; teacher and principal attendance; and retention rates of teachers by performance level. States will also be required to report on the performance of teacher and principal preparation programs by their graduates' impact on student growth and other measures, job placement, and retention.

TEACHER AND LEADER INNOVATION FUND

Our proposal will continue competitive grants for states and school districts that are willing to implement ambitious reforms to better identify, recruit, prepare, develop, retain, reward, and advance effective teachers, principals, and school leadership teams in high-need schools. Grantees must be able to differentiate among teachers and principals on the basis of their students' growth and other measures, and must use this information to differentiate, as applicable, credentialing, professional development, and retention and advancement decisions, and to reward highly effective teachers and principals in high-need schools. School districts must also put in place policies to help ensure that principals are able to select and build a strong team of teachers with a shared vision and that teachers are choosing to be part of a school team.

Grantees may use funds to reform compensation systems to provide differentiated compensation and career advancement opportunities to educators who are effective in increasing student academic achievement, who take on additional roles and responsibilities in their schools, and who teach in high-need schools, subjects, areas, and fields. Grantees may also use funds to staff high-need schools more effectively, such as through the implementation or use of earlier hiring timelines. States and districts will be encouraged to use these funds to take on additional innovative reforms, such as improving teacher salary schedules so as to eliminate incentives for teachers to obtain credentials that have been shown not to be linked with student performance. Additionally, states must describe the extent to which high-performing pathways are in place. In all cases, applicants will be required to provide evidence of stakeholder involvement in the development of their proposal.

TEACHER AND LEADER PATHWAYS

Our proposal will continue competitive grants to improve and strengthen the recruitment and preparation of effective teachers, principals, and other school leaders by nonprofit organizations, colleges and universities, and school districts, through high-quality preparation programs that prepare educators for high-need districts, schools, subjects, areas, and fields.

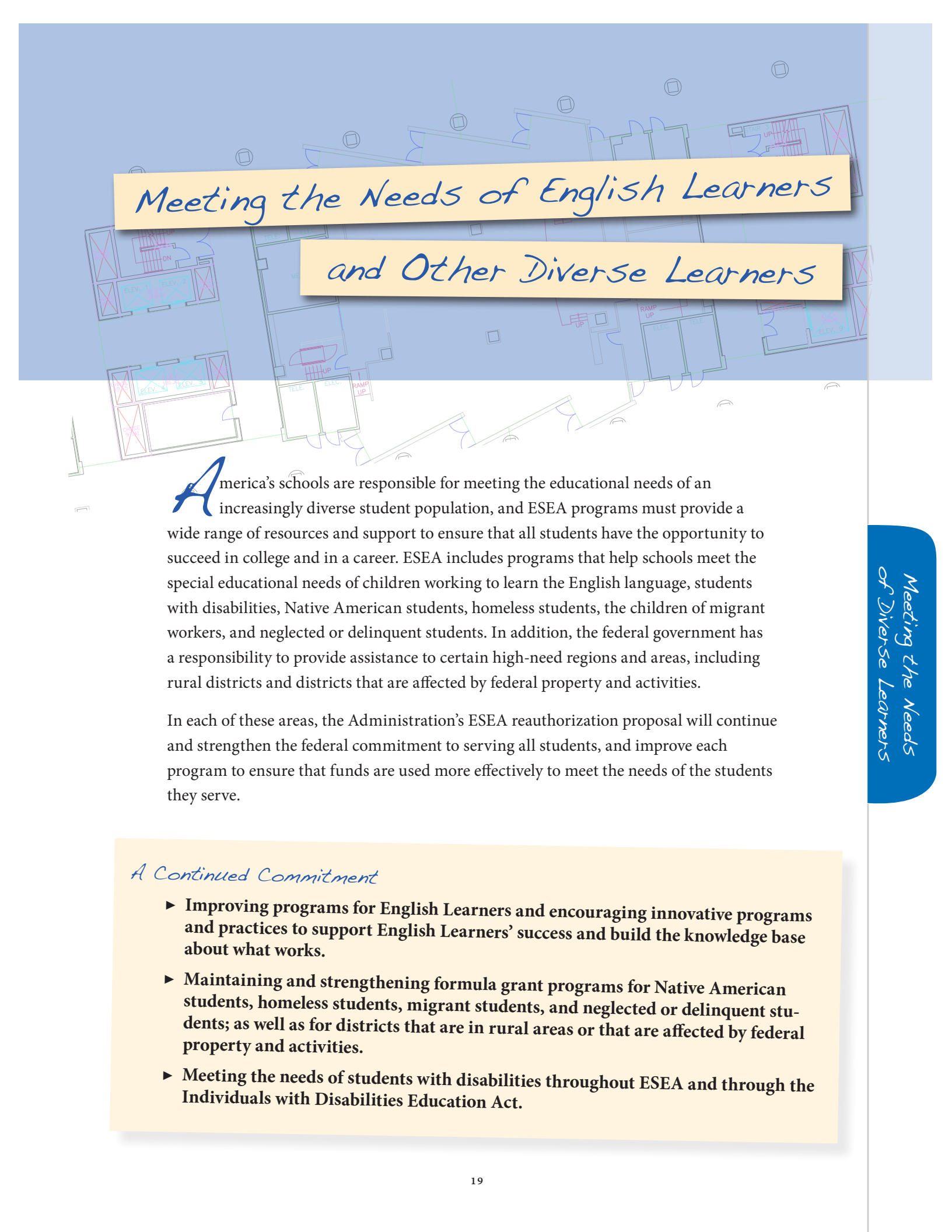
Teacher Pathways. To strengthen traditional and alternative pathways into teaching, our proposal includes competitive grants for the recruitment, preparation, placement, and induction of promising teacher candidates for high-need schools, subjects, areas, and fields. Programs must be designed to meet the specific teacher needs of a district or districts, and must either have a record of preparing effective teachers or commit to tracking and measuring the effectiveness of their graduates in the classroom.

In making grants, the Secretary will take into account whether programs will prepare teachers to teach to college- and career-ready standards; the extent to which programs are designed to meet the needs of high-need areas, including rural areas, or high-need fields, such as teaching English Learners, students with disabilities, or other students with diverse learning needs; and the extent to which programs provide streamlined opportunities for applicants who can demonstrate competency in specific knowledge or skills. Priority may be given to programs that work to recruit and prepare high-performing college graduates or non-traditional candidates, such as military veterans or midcareer professionals. The Secretary also will carry out a teacher recruitment campaign, working with states, districts, and outside organizations to recruit talented candidates into the teaching profession.



Transformational Leaders. To strengthen traditional and alternative pathways into school leadership, our proposal includes competitive grants for the recruitment, preparation, and support of effective principals and leadership teams to turn around persistently low-performing schools.

Grantees must either have a record of preparing effective leaders or commit to tracking and measuring the effectiveness of their graduates, as well as provide a substantial residency or field-based component and induction support for new principals and other leaders to succeed. Priority will be given to programs that commit to put in place conditions that increase the likelihood that their graduates and other principals will succeed in improving low-performing schools, such as providing autonomy over staffing, budget, instructional program, and schedule; and those with a record of preparing principals who improve student academic achievement and other outcomes at low-performing schools. Finally, the Secretary will make grants to recruit, prepare, place, and support the retention of effective state and district leaders, such as superintendents, chief academic officers, and human resource directors, who are able to lead transformational change in their states and districts.

A faint architectural floor plan of a building is visible in the background, showing various rooms, corridors, and structural elements like stairs and ramps. The plan is drawn in light blue and pink lines on a light blue background.

Meeting the Needs of English Learners

and Other Diverse Learners

America's schools are responsible for meeting the educational needs of an increasingly diverse student population, and ESEA programs must provide a wide range of resources and support to ensure that all students have the opportunity to succeed in college and in a career. ESEA includes programs that help schools meet the special educational needs of children working to learn the English language, students with disabilities, Native American students, homeless students, the children of migrant workers, and neglected or delinquent students. In addition, the federal government has a responsibility to provide assistance to certain high-need regions and areas, including rural districts and districts that are affected by federal property and activities.

In each of these areas, the Administration's ESEA reauthorization proposal will continue and strengthen the federal commitment to serving all students, and improve each program to ensure that funds are used more effectively to meet the needs of the students they serve.

A Continued Commitment

- ▶ **Improving programs for English Learners and encouraging innovative programs and practices to support English Learners' success and build the knowledge base about what works.**
- ▶ **Maintaining and strengthening formula grant programs for Native American students, homeless students, migrant students, and neglected or delinquent students; as well as for districts that are in rural areas or that are affected by federal property and activities.**
- ▶ **Meeting the needs of students with disabilities throughout ESEA and through the Individuals with Disabilities Education Act.**

STUDENTS WITH DISABILITIES

While the primary funding for programs specifically focused on supporting students with disabilities is through the Individuals with Disabilities Education Act, our ESEA reauthorization proposal will increase support for the inclusion and improved outcomes of students with disabilities. Our proposal will help ensure that teachers and leaders are better prepared to meet the needs of diverse learners, that assessments more accurately and appropriately measure the performance of students with disabilities, and that more districts and schools implement high-quality, state- and locally-determined curricula and instructional supports that incorporate the principles of universal design for learning to meet all students' needs.

ENGLISH LEARNER EDUCATION

Our proposal will continue to provide significant formula grants to help states and school districts implement high-quality language instruction educational programs to improve the education of English Learners. Grantees may provide dual-language programs, transitional bilingual education, sheltered English immersion, newcomer programs for late-entrant English Learners, or other language instruction educational programs. Grantees may also provide effective professional development for all teachers of English Learners, including teachers of academic content areas, that is responsive to demonstrated needs identified by evaluations. To ensure that formula grant assistance in these areas supports the conditions needed to foster English Learners' success, we will require states to:

- ▶ Establish new criteria to ensure consistent statewide identification of students as English Learners, and to determine eligibility, placement, and duration of programs and services, based on the state's valid and reliable English language proficiency assessment.
- ▶ Implement a system to evaluate the effectiveness of language instruction educational programs, and to provide information on the achievement of subgroups of English Learners, to drive better decisions by school districts for program improvement, and to support districts in selecting effective programs.

Districts that are not improving the performance of English Learners will lose flexibility around the use of funds under this program, and must work with the state to implement more effective strategies.

Our proposal will also provide new competitive grants to states, districts, and nonprofit partners to support the development of innovative programs, build the knowledge base about promising practices, and scale up effective practices to improve instruction for

English Learners, including funding for graduate fellowships to support research and leadership in developing effective practices to improve English Learner outcomes, as well as state or district partnerships with colleges and universities for developing effective teachers.

In addition, under the College- and Career-Ready Students program, states will be required to adopt and implement statewide grade-by-grade English language proficiency standards that are linked to the state's college- and career-ready academic content standards.

MIGRANT EDUCATION

Our proposal will continue and strengthen formula grants to states, districts, and other providers to meet the educational needs of migrant students. To ensure that funds are most effectively targeted to the areas in which migrant students live, we will update the current funding formula to incorporate more accurate and timely data. We will also strengthen and facilitate interstate efforts to support the educational transition of migrant students into local schools and communities.

HOMELESS CHILDREN AND YOUTHS EDUCATION

Our proposal will continue and strengthen formula grants to help states and districts put in place systems and services to meet the educational needs of homeless students. First, we will better target funds to serve homeless students by allocating funds on the basis of counts of homeless students rather than by shares of Title I allocations. Second, we will remove barriers to effective services for homeless children. And third, we will clarify provisions of the current statute where ambiguity resulted in delays in services for homeless children and youths. Our proposal will also increase transparency by requiring grantees to report on the academic outcomes for students served by the program.

NEGLECTED AND DELINQUENT CHILDREN AND YOUTHS EDUCATION

Our proposal will continue and strengthen formula grants to states to improve educational services for students in state-operated institutions and community day programs for neglected or delinquent children and youths. To better direct funds to support students in locally-operated institutions, our proposal will ask districts to reserve funds received under the College- and Career-Ready Students program to support programs conducted by locally-operated institutions.



INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Our proposal will continue strong support – through formula and competitive grants to states; districts; Indian tribes; Indian institutions of higher education; Indian, Native Hawaiian, and Alaska Native educational and community-based organizations; and nonprofit organizations, agencies, and institutions – to help meet the unique needs of Indian students, Native Hawaiian students, and Alaska Native students.

Grantees under the Indian education program will have greater flexibility to use funds to carry out programs that meet the needs of Indian students, including Native language immersion and Native language restoration programs, and develop tribal specific standards and assessments. Our proposal will improve access to funds for Indian tribes under other ESEA programs, and recognize and strengthen the role of tribal education departments in coordinating and implementing services and programs for Indian students within their jurisdiction. To ensure that programs reflect the academic, language, and cultural needs of Indian students, we will continue to require the participation of the parents of Indian children in the design of programs. To support effective programs, we will expand eligibility to school districts and public charter schools under the Native Hawaiian and Alaska Native programs.

RURAL EDUCATION

Our proposal will continue formula grants to rural districts to address the specific needs of students in rural areas, through the Small, Rural School Achievement (SRSA) and the Rural and Low-Income School (RLIS) programs. In order to improve targeting of funds, we will update the method used to identify districts as rural. To allow additional districts needed flexibility, our proposal will also expand the current “REAP Flex” authority, which allows eligible small districts to use other federal education funds flexibly, to districts that are eligible to receive funds under RLIS. In addition, we will better align the accountability requirements of the College- and Career-Ready Students program with the rural education program, so that the rural education program supports school improvement efforts in persistently low-performing districts.

To help rural districts apply for competitive grants and determine effective strategies for improving student academic achievement, the Secretary may reserve funds for national activities such as technical assistance and research on innovative programs that are designed to help rural districts overcome common capacity constraints.

IMPACT AID

Our reauthorization proposal will continue significant formula grant support designed to compensate districts for the expense of educating federally-connected children and for the presence in their districts of tax-exempt federal property or other property removed from the tax rolls by the federal government. Because these funds are compensatory, districts enjoy broad flexibility in the use of these funds.



A Complete Education

As we ask states to raise their standards to prepare their students for college and the workplace, we will also be asking more from students, families, teachers, principals, and every level of the educational system. To make higher standards meaningful, we must ensure that states, districts, schools, and teachers have the resources and assistance they need to help students reach these standards, such as instructional supports, high-quality professional development, and teaching and learning materials aligned with those standards. This means a new investment in improving teaching and learning in all content areas – from literacy to science, technology, engineering, and mathematics to history, civics, foreign languages, the arts, financial literacy, environmental education, and other subjects – and in providing accelerated learning opportunities to more students to make postsecondary success more attainable.

A New Approach

- ▶ **Strengthening instruction in literacy and in science, technology, engineering, and mathematics, aligned with improved standards that build toward college- and career-readiness.**
- ▶ **Supporting teachers and students in teaching and learning to more rigorous standards that prepare students for college and a career.**
- ▶ **Improving access to a well-rounded education for students in high-need schools.**
- ▶ **Expanding access to college coursework and other accelerated learning opportunities for students in high-need schools.**

LITERACY

Our proposal will provide competitive grants to support the transition to higher standards by assisting states in strengthening their literacy programs and by providing substantial support to high-need districts in implementing high-quality literacy instruction. States will be required to develop comprehensive, evidence-based, preK–12 literacy plans and to align federal, state, and local funds to provide high-quality literacy instruction. States may carry out strategies to improve literacy instruction statewide, such as supporting districts in identifying effective instructional materials and improving teachers' knowledge and skills in effective literacy instruction for all students, including English Learners and students with disabilities.

Priority will be given to states that have adopted common, state-developed, college- and career-ready standards. Priority may also be given to states that use technology to address student learning challenges, which may include the principles of universal design for learning.

States will provide competitive subgrants to high-need districts to support comprehensive literacy programs in the grades and schools with the greatest local need. Programs must provide effective professional development for teachers and school leaders; high-quality state- or locally-determined curricula, instructional materials, and assessments; interventions that ensure that all students are served appropriately; and language- and text-rich classroom environments that engage and motivate students. Literacy programs may also include activities related to family literacy, improving library services, and other efforts to improve literacy.

Priority will be given to districts that propose to align other local, state, and federal resources with their plan to improve literacy instruction; propose to implement programs that have the strongest available evidence; propose to implement activities in the schools with the greatest need; or have a plan for sustaining the strategy.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM)

Our proposal will provide competitive grants to support the transition to higher standards by assisting states in strengthening their STEM programs and by providing substantial support to high-need districts in implementing high-quality instruction in at least mathematics or science and may also include technology or engineering. States will be required to develop comprehensive, evidence-based plans and to align federal, state, and local funds to provide high-quality STEM instruction. States may carry out strategies to improve STEM instruction statewide, such as partnering with statewide Race to the Top partnerships, supporting districts in identifying effective instructional materials, and improving teachers' knowledge and skills in effective STEM instruction for all students, including English Learners and students with disabilities.



Priority will be given to states that have adopted common, state-developed, college- and career-ready standards. Priority may also be given to states that use technology to address student learning challenges, which may include the principles of universal design for learning; cooperate with outside partners with STEM expertise; or propose to prepare more students, including students from underrepresented groups, for advanced study and careers in STEM.

States will award competitive subgrants to high-need districts to support comprehensive STEM instruction in the grades and schools with the greatest local need. Programs must provide effective professional development for teachers and school leaders; high-quality state- or locally-determined curricula, instructional materials, and assessments; and interventions that ensure that all students are served appropriately. Subgrantees may use program funds to integrate evidence-based, effective mathematics or science programs into the teaching of other core academic subjects and for technology-based strategies to improve STEM education.

Priority will be given to districts that propose to align other local, state, and federal resources with their plan to improve instruction in STEM subjects; propose to implement programs that have the strongest available evidence; propose to implement activities in the schools with the greatest need; or have a plan for sustaining the strategy.



ENSURING A WELL-ROUNDED EDUCATION

To help more students in high-need schools receive a well-rounded education, our proposal will provide competitive grants to states, high-need districts, and nonprofit partners to strengthen the teaching and learning of arts, foreign languages, history and civics, financial literacy, environmental education, and other subjects.

Grants may support either the development of new, promising instructional practices or the expansion of instructional practices for which there is evidence of improving student performance in one or more of these subjects. Such practices, which should be aimed at improving instruction for all students, including English Learners and students with disabilities, may include high-quality professional development, better assessments, high-quality state- or locally-determined curricula aligned with state standards, or innovative uses of technology.

Priority will be given to applicants proposing to integrate teaching and learning across academic subjects; to use technology to address student learning challenges; and at the high school level, to work with colleges or universities to ensure that coursework is truly aligned with those institutions' expectations.


COLLEGE PATHWAYS AND ACCELERATED LEARNING

Our proposal will provide competitive grants to states, districts, and nonprofit partners to increase access to accelerated learning opportunities for students. At the high school level, these opportunities will include college-level work. At the elementary and middle school levels, these opportunities will include access to gifted and talented education programs.

Grantees will carry out activities that help students prepare for, or directly provide, college-level work (including early-college or dual-enrollment programs, Advanced Placement (AP) programs, and International Baccalaureate programs), other accelerated learning programs, and gifted and talented programs in elementary or middle schools. Applicants may propose additional activities, such as allowing credit based on successful demonstration of competency via examination or other valid means, or providing counseling, mentoring, or programs to develop study skills. Priority will be given to applicants that propose to serve high schools with low graduation rates and that partner with state higher education offices and institutions of higher education in a program that allows higher education credits to be portable beyond the individual partner institution or institutions. Our proposal will continue to provide support to states to improve access to AP tests for low-income students.

ACTIVITIES TO STRENGTHEN A COMPLETE EDUCATION

Under our proposal, the Secretary will set aside funds to carry out additional activities to improve teaching and learning in academic subjects, such as grants for the creation of high-quality educational digital content; grants to states to develop and improve their capacity to use technology to improve instruction; or grants to nonprofits to develop and implement innovative and effective strategies to improve the teaching and learning of specific subjects.



Successful, Safe, and Healthy Students

Supporting student success requires deploying every tool at our disposal. The students most at risk for academic failure too often attend schools and live in communities with insufficient capacity to address the full range of their needs. The result is that students cannot always focus on learning and teachers cannot always focus on teaching.

Preparing students for success requires taking innovative, comprehensive approaches to meeting students' needs, such as rethinking the length and structure of the school day and year, so that students have the time they need to succeed and teachers have the time they need to collaborate and improve their practice. It means supporting innovative models that provide the services that students need; time for teachers to collaborate to meet academic challenges; environments that help all students be safe, healthy, and supported in their classrooms, schools, and communities; and greater opportunities to engage families in their children's education and strengthen the role of schools as centers of communities.

A New Approach

- ▶ **Providing a cradle through college and career continuum in high-poverty communities that provides effective schools, comprehensive services, and family supports.**
- ▶ **Supporting programs that redesign and expand the school schedule, provide high-quality afterschool programs, and provide comprehensive supports to students.**
- ▶ **Using data to improve students' safety, health, and well-being, and increasing the capacity of states, districts, and schools to create safe, healthy, and drug-free environments.**

PROMISE NEIGHBORHOODS

Our proposal will provide new, competitive grants to support the development and implementation of a continuum of effective community services, strong family supports, and comprehensive education reforms to improve the educational and life outcomes for children and youths in high-need communities, from birth through college and into careers. Programs must be designed to improve academic and developmental outcomes for children and youths through effective public schools, community-based organizations, and other local agencies. Programs will be encouraged to take a comprehensive approach to meeting student needs, drawing on the contributions of community-based organizations, local agencies, and family and community members. Grantees will conduct a needs assessment of all children in the community in order to establish baseline data against which the grantee will aim to improve outcomes, and will promote and coordinate community involvement, support, and buy-in, including securing and leveraging resources from the public and private sectors.

21ST CENTURY COMMUNITY LEARNING CENTERS

Our proposal will provide competitive grants for states, school districts, nonprofit organizations, and partnerships to implement in school and out of school strategies that provide students and, where appropriate, teachers and family members, with additional time and supports to succeed.

Competitive grants will be awarded to states, school districts, and community-based organizations to leverage models that comprehensively redesign and expand the school day or year, provide full-service community schools, or provide services before school, after school, or during the summer. All programs will focus on improving student academic achievement in core academic subjects, ranging from English language arts, mathematics, and science, to history, the arts, and financial literacy, as part of a well-rounded education, and providing enrichment activities, which may include activities that improve mental and physical health, opportunities for experiential learning, and greater opportunities for families to actively and meaningfully engage in their children's education.

Priority will be given to applicants that propose to carry out programs to support the improvement of Challenge schools identified under the College- and Career-Ready Students program, and those that propose to implement comprehensive and coordinated programs, including comprehensively redesigning and expanding the school schedule for all students, providing comprehensive supports to students and families through full-service community school models, or establishing partnerships between school districts and nonprofit organizations for in school or out of school strategies.



SUCCESSFUL, SAFE, AND HEALTHY STUDENTS

Our proposal will provide competitive grants to support states, school districts, and their partners in providing learning environments that ensure that students are successful, safe, and healthy. To better measure school climate and identify local needs, grantees will be required to develop and implement a state- or district-wide school climate needs assessment to evaluate school engagement, school safety (addressing drug, alcohol, and violence issues), and school environment, and publicly report this information. This assessment must include surveys of student, school staff, and family experiences with respect to individual schools, and additional data such as suspensions and disciplinary actions. States will use this data to identify local needs and provide competitive subgrants to school districts and their partners to address the needs of students, schools, and communities.

Grantees will use funds under the Successful, Safe, and Healthy Students program to carry out strategies designed to improve school safety and to promote students' physical and mental health and well-being, nutrition education, healthy eating, and physical fitness. Grantees may support activities to prevent and reduce substance use, school violence (including teen dating violence), harassment, and bullying, as well as to strengthen family and community engagement in order to ensure a healthy and supportive school environment.



Priority will be given to applicants that propose to support partnerships between districts and nonprofit organizations, including community-based organizations. Priority will also be given to grantees willing to direct funds to schools with the greatest need, including Challenge schools, as identified under the College- and Career-Ready Students program, or schools with the greatest needs as identified through the school climate needs assessment.

The background of the page is a detailed architectural floor plan of a building, rendered in light blue and purple lines. A prominent yellow banner with a black border is centered horizontally across the upper portion of the plan. The banner contains the title 'Fostering Innovation and Excellence' in a blue, handwritten-style font. The floor plan itself shows various rooms, corridors, and structural elements, with some areas labeled 'ELEV.', 'MECH.', 'RAMP UP', and 'ELEC. TELE.'. A red stamp in the center of the plan reads 'FD86 31 INT 61,246.11'.

Fostering Innovation and Excellence

For all students to thrive in the classroom, in college, and in a career, our educational system must continuously develop and embrace the very best practices, policies, and ideas. Innovative practices are constantly emerging to help more students graduate ready for college and a career. We will ask policymakers and educators at all levels to carefully analyze the impact of their policies, practices, and systems on student outcomes. We will provide students and families with increased high-quality public school educational options, and empower them with improved information about the options available to them. And across programs, we will focus less on compliance and more on enabling effective local strategies to flourish.

A New Approach

- ▶ **Providing incentives for a Race to the Top among states and districts willing to take on ambitious, comprehensive reforms.**
- ▶ **Developing, validating, and scaling up promising and proven educational strategies to improve student outcomes.**
- ▶ **Expanding educational options to increase choice within the public school system through high-performing new schools and meaningful public school choice.**

RACE TO THE TOP

Modeled after the Race to the Top program authorized by the American Recovery and Reinvestment Act of 2009, our proposal will provide competitive grants to states and school districts to take on ambitious and comprehensive reforms, and to encourage the broad identification, dissemination, adoption, and use of effective policies and practices. State and school district grantees will be required to develop and implement comprehensive plans, in collaboration with other stakeholders, to dramatically improve student outcomes, including focusing on rigorous college- and career-ready standards and high-quality assessments; providing better information to families to help them evaluate and improve their children's schools, and to educators to help them improve their students' learning; supporting effective teachers and school leaders; turning around persistently low-performing schools; and supporting innovative models for reform.

States and school districts that receive grants may spend funds flexibly in a manner aligned with their plans, but states must award at least 50 percent of their grant funds to school districts that participate in the state plan. Grantees will be required to meet specific annual performance targets related to the implementation of their plan and to improving measurable outcomes for students and schools, and will receive continuation funding only if they implement their proposed plans effectively and meet their performance targets. Grantees must invest in rigorous evaluation of their ongoing performance and reform efforts.

INVESTING IN INNOVATION (i3)

This program builds on the i3 program launched through the American Recovery and Reinvestment Act of 2009, and will provide additional competitive grants to expand the implementation of, and investment in, innovative and evidence-based practices, programs, and strategies that significantly improve student outcomes. The Secretary will use a rigorous, three-tiered evidence framework that directs the highest levels of funding to programs with the strongest evidence, and also provides significant support for promising programs that are willing to undergo rigorous evaluation. Grantees will use funds to scale up practices, strategies, or programs for which there is strong evidence of success in significantly closing achievement gaps between groups of students and in significantly increasing student academic achievement for all groups of students; validate and expand practices, strategies, or programs for which there is moderate evidence of success; or develop and test promising practices, strategies, or programs for which there is potential and some research-based support. Each grantee will be required to conduct or participate in an independent evaluation of its project. Grantees will be required to form partnerships with the private sector to secure matching funds.

Applicants will be required to propose projects that develop or expand innovations in critical areas of education reform. The Secretary may also give preference to applicants that propose to develop or expand innovations around specific pressing needs, such as improving the teaching and learning of STEM subjects, improving early learning outcomes, addressing the learning needs of English Learners and students with disabilities, and serving schools in rural areas. The Secretary will also reserve funds for inducement prizes to drive breakthrough inventions in education or for dramatic and innovative approaches to improving educational outcomes.

EXPANDING EDUCATIONAL OPTIONS

In addition to broad-based comprehensive state and local reforms and the expansion of evidence-based practices and innovations, the Administration's ESEA reauthorization proposal will encourage educational entrepreneurship by expanding competitive grants aimed at increasing the supply of high-quality public educational options available to students.

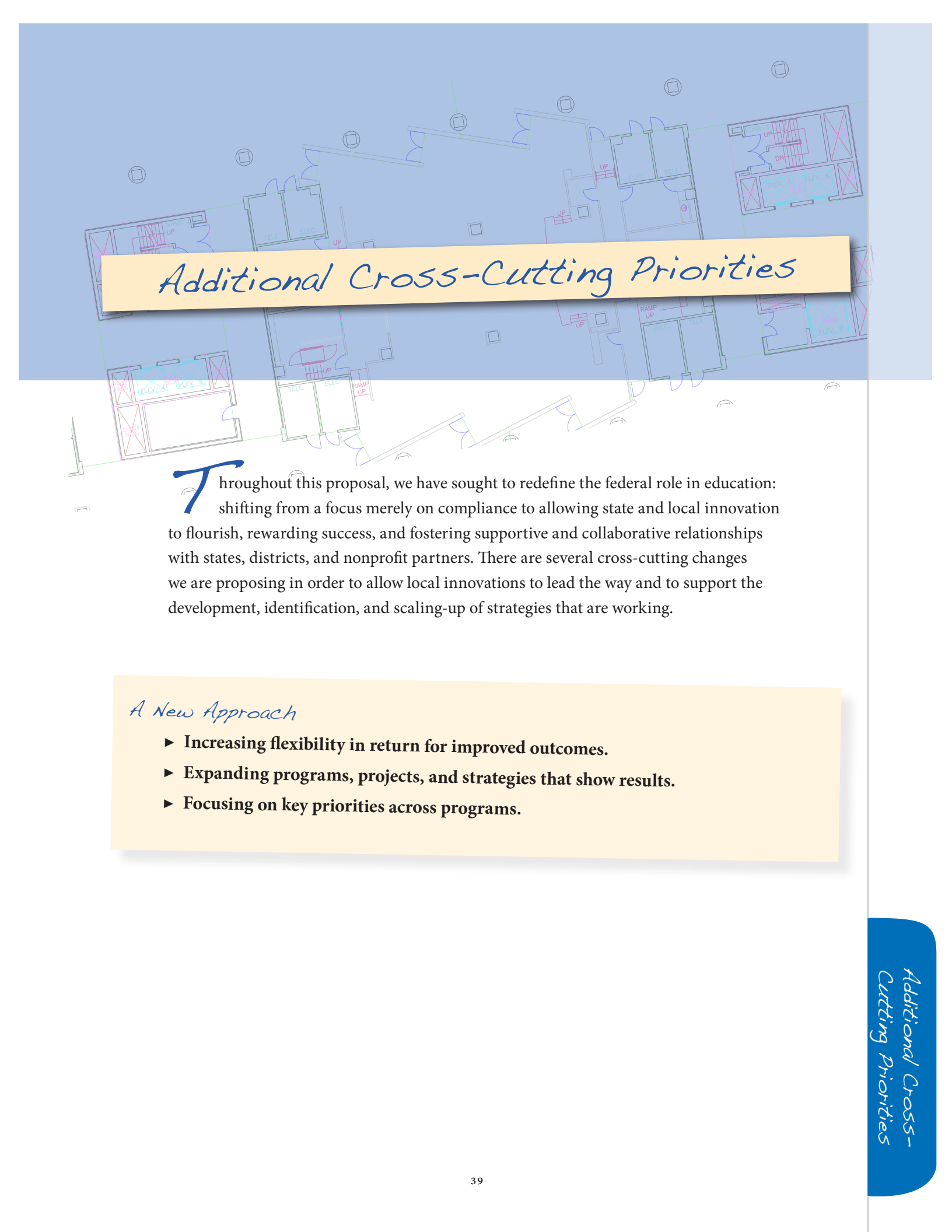
Supporting Effective Charter Schools. Our proposal will provide competitive grants to states, charter school authorizers, charter management organizations, districts, and nonprofit organizations, to start or expand high-performing public charter schools and other high-performing autonomous public schools, with a priority for applicants proposing to start or expand high-performing public charter schools. Autonomous schools are public schools that, as much or even more than charter schools, have ongoing autonomy over key operational elements, including staffing, budget, schedule, and program. Both charter schools and other autonomous schools funded under this program must be subject to the same accountability systems as traditional public schools, as well as increased accountability for improving student academic achievement.

To ensure that funds are used to start or expand high-performing schools that improve outcomes for all subgroups of students, applicants will be evaluated based on their record of past success in funding, supporting, authorizing, managing, or operating (as relevant) high-performing public charter schools or other high-performing public autonomous schools; their record of cutting off funding to or closing low-performing charter schools or other low-performing autonomous schools; and their commitment to improving the quality of their schools in the future. Grantees will be required to develop plans to appropriately serve all students in charter or other autonomous schools, including English Learners and students with disabilities, and to provide information to ensure students and families are aware of and able to apply to these schools. The Secretary may reserve a portion of funds to improve charter schools' access to facilities or to facilities financing.

To build greater capacity to support and hold schools accountable under this program, grantees at all levels will be allowed to set aside funds to improve their capacity to oversee and support schools funded under this program. Additionally, charter management organizations that commit to work with districts to support the districts in implementing effective strategies in district schools may be eligible for larger grants.

Promoting Public School Choice. Our proposal will continue to provide competitive grants to districts, consortia of districts, and states in partnership with districts to expand high-quality public school educational options for students, especially students in low-performing schools, and ensure that students and families are aware of these options. Grantees will use funds to implement programs that increase high-quality public school options for students, especially students in low-performing schools, through creating or expanding inter- and intradistrict choice programs, theme-based schools, high-quality online learning programs, or academic pathways. Grantees must also carry out activities to provide students, families, and the community with information about how to identify, evaluate, and access high-quality educational options. Priority will be given to interdistrict choice programs and programs that provide comprehensive choices to every student in a district. Priority will also be given to programs that increase diversity in the schools served by the program.

Magnet Schools Assistance Program. Our proposal will continue to provide competitive grants to districts to support magnet schools under a desegregation plan ordered by a federal court, state court, or other authorized state agency or official, or approved by the Secretary. The reauthorized program will expand and improve options for students and increase diversity by placing a greater emphasis on funding whole-school magnet school programs or models that have a record of success in raising student academic achievement and reducing minority group isolation.



Additional Cross-Cutting Priorities

Throughout this proposal, we have sought to redefine the federal role in education: shifting from a focus merely on compliance to allowing state and local innovation to flourish, rewarding success, and fostering supportive and collaborative relationships with states, districts, and nonprofit partners. There are several cross-cutting changes we are proposing in order to allow local innovations to lead the way and to support the development, identification, and scaling-up of strategies that are working.

A New Approach

- ▶ **Increasing flexibility in return for improved outcomes.**
- ▶ **Expanding programs, projects, and strategies that show results.**
- ▶ **Focusing on key priorities across programs.**



FLEXIBILITY FOR SUCCESS

A re-envisioned federal role means giving states and districts additional flexibility in how they spend federal dollars as long as they are continuing to focus on what matters most – improving outcomes for students. States and districts will be allowed to use most federal administrative funds and reservations flexibly to build their own capacity to support reform and improvement. Most districts will also be allowed to spend more ESEA program funds flexibly, as long as they continue to comply with the conditions associated with those funds and are improving student outcomes.

GROWING SUCCESS

Where grantees are successfully improving outcomes for students, we should not only reward them, but replicate their successful practices. For each competitive program in this proposal, grantees that are significantly improving outcomes will be eligible for both continuation funds and additional funds to expand their strategies to additional students, schools, districts, or states. This will ensure that federal funds flow to projects that are successfully serving students.

EVALUATION AND BUILDING THE KNOWLEDGE BASE

To foster ongoing improvement of ESEA programs and to advance knowledge in the field, investments are needed in data analysis and evaluation at the federal, state, and local levels. Consequently, this proposal encourages federal, state, and local levels to work

together to use data for continuous improvement, test innovative ideas, evaluate and replicate promising approaches, and scale up what strong research evidence suggests works across all ESEA programs. In addition, a new evaluation authority will authorize rigorous, objective evaluations of ESEA programs, policies, and practices and support performance measurement of those programs. The Secretary will submit to Congress a biennial plan on ESEA evaluation and performance measurement and will establish an independent panel that advises on the plan.

CROSS-CUTTING PRIORITIES

There are some priorities that are relevant in numerous areas of education reform. We may apply specific priorities across programs, as appropriate, including priorities for:

- (1) **Technology.** Technology, effectively and thoughtfully deployed, can improve how schools work, how teachers teach, and how students learn. Priority may be given to programs, projects, or strategies that leverage digital information or communications technology to accomplish the stated goals of the grant.
- (2) **Evidence.** As evidence develops in new areas, funding should be devoted to the areas with the most evidence of effectiveness in improving outcomes for students. Priority may be given to programs, projects, or strategies on the strength of their evidentiary base.
- (3) **Efficiency.** Particularly in the current economic situation, it is important to do more with fewer resources. Priority may be given to programs, projects, or strategies that are designed to significantly increase efficiency in the use of resources to improve student outcomes.
- (4) **Supporting English Learners and Students With Disabilities.** Schools, districts, and states must be held responsible for educating all students, including English Learners and students with disabilities, to high standards, but more work could be done to develop and scale up effective strategies for these students. Priority may be given to programs, projects, or strategies that are designed to specifically improve the performance of English Learners or students with disabilities.
- (5) **Supporting Rural and Other High-Need Areas.** In new competitive programs, we will be putting in place appropriate strategies to ensure that rural districts and other high-need districts are not disadvantaged and are able to receive the funding they need to help students succeed. Priority may be given to programs or projects designed to serve rural and other high-need areas.

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

Overview

The 2012 request for the Department of Education aligns Federal education resources with key priorities and principles included in *A Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act*, the Administration's comprehensive plan for reauthorizing the Elementary and Secondary Education Act (ESEA) that was released in March 2010. The *Blueprint* is available at <http://www2.ed.gov/policy/elsec/leg/blueprint/blueprint.pdf>.

The *Blueprint* proposes changes in the ESEA intended to help ensure that all children receive the world-class education they deserve and that America needs to compete successfully in the global economy of the 21st century. The proposal does this not just by tinkering with existing law, but by re-envisioning the Federal role in education to support innovative approaches to teaching and learning that make better, more productive use of existing resources. As President Obama has reminded us, "this is our generation's Sputnik moment," and we can no longer afford to invest in the status quo. Instead, we must reform our schools to accelerate student achievement, close achievement gaps, and inspire our children to excel so that by 2020, America will once again have the highest proportion of college graduates in the world.

To accomplish these goals, the 2012 request would invest in a reformed ESEA focused on raising standards, encouraging innovation, and rewarding success, while allowing States and districts more flexibility to invest resources where they will have the greatest impact. In particular, the request funds programs that spur innovation through competition, including a \$900 million investment in the Race to the Top program, which has already motivated States to reform their laws and make new plans to better support educational improvement and innovation. New funding would support awards to additional States and allow the Department to open the Race to the Top competition to school districts. The 2012 budget also includes \$300 million for a new round of grants under the Investing in Innovation (i3) fund to provide incentives for the development and expansion of innovative strategies and practices that have been shown to be effective in improving educational outcomes for students.

In addition, the Administration's reauthorization plan would restructure current ESEA program authorities to reduce the number of programs administered by the Department of Education, increase the role of competition in awarding Federal education funds, focus more closely on desired program outcomes, and expand State and local flexibility to achieve those outcomes. The reauthorization proposal would consolidate 38 existing authorities into 11 new programs that emphasize using competition to allocate funds, giving communities more choices in implementing activities, and using rigorous evidence to fund what works.

The following table shows the ESEA and related programs that would be consolidated under the Administration's 2012 request:

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

ESEA REAUTHORIZATION CONSOLIDATION CROSSWALK	
New Authority	Consolidated Programs
Effective Teachers and Leaders	Ready to Teach Improving Teacher Quality State Grants
Teacher and Leader Innovation Fund	Advanced Credentialing Teacher Incentive Fund
Teacher and Leader Pathways	School Leadership Teach for America Teacher Quality Partnership Teachers for a Competitive Tomorrow Transition to Teaching
Effective Teaching and Learning for a Complete Education	Effective Teaching and Learning: Literacy Striving Readers Literacy through School Libraries National Writing Project Reading is Fundamental Ready-to-Learn Television Even Start
	Effective Teaching and Learning: Science, Technology, Engineering, and Mathematics Mathematics and Science Partnerships
	Effective Teaching and Learning for a Well-Rounded Education Teaching American History Academies for American History and Civics Civic Education Close-Up Fellowships Excellence in Economic Education Foreign Language Assistance Arts in Education
	National Activities Educational Technology State Grants <i>(Note: Each program would include a focus on educational technology.)</i>
College Pathways and Accelerated Learning	Advanced Placement High School Graduation Initiative Javits Gifted and Talented Education
Successful, Safe, and Healthy Students	Alcohol Abuse Reduction Elementary and Secondary School Counseling Foundations for Learning Mental Health Integration in Schools Physical Education Program Safe and Drug-Free Schools and Communities National Activities
Expanding Educational Options	Charter Schools Grants Credit Enhancement for Charter School Facilities Parental Information and Resource Centers Smaller Learning Communities Voluntary Public School Choice

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

The \$14.8 billion request for the reauthorized Title I, Part A College- and Career-Ready Students program (formerly Title I Grants to Local Educational Agencies) would drive another key priority: graduating every student college- and career-ready (CCR). States would be required to adopt CCR standards in English language arts and mathematics and to implement high-quality assessments that are aligned with and capable of measuring individual student growth toward these standards. The Title I request includes \$300 million for a new Title I Rewards program that would provide financial and other rewards to high-poverty local educational agencies (LEAs) and schools that are making the most progress in improving student achievement and student growth.

The 2012 budget would help launch a new, research-based approach to early learning through the \$350 million Early Learning Challenge Fund, which would make competitive grants to challenge States to establish model systems of early learning for children, from birth to kindergarten entry, that promote high standards of quality and a focus on outcomes across settings to ensure that more children enter school ready to succeed.

The request also would provide \$420 million for a reauthorized Assessing Achievement program (formerly State Assessments) for formula and competitive grants to help States improve the quality of their assessment systems as they transition to assessments aligned with college- and career-ready standards. Under the reauthorized ESEA, States would use these improved assessments to accurately measure student academic growth; more reliably measure student achievement and teacher and school effectiveness; help teachers better tailor instruction to student needs; and provide better information to students and their families. The reauthorized ESEA would create a new, more flexible LEA and school accountability system under which States would measure school and local educational agency (LEA) performance on the basis of progress in getting all students on track to CCR, closing achievement gaps, improving graduation rates, and other indicators. States would provide financial rewards and additional flexibility in the use of ESEA funds for highly effective schools and LEAs and would require rigorous interventions in the lowest-performing schools and LEAs. The 2012 request includes \$600 million for a reauthorized School Turnaround Grants program (formerly School Improvement Grants) that would help LEAs carry out these interventions and build State and local capacity to turn around the Nation's lowest-performing schools.

Other requests that would support the goal of graduating every student college- and career-ready include \$372 million for Expanding Educational Options, which would promote charter schools and other forms of public school choice; \$150 million for Promise Neighborhoods, which would fund comprehensive health, education, and social services for children in distressed communities from birth through college and career; and \$365 million for Successful, Safe, and Healthy Students, which would fund efforts to create safe and disciplined school climates and promote student health and well-being.

A critical prerequisite for graduating all students college- and career-ready is putting more effective teachers and leaders in every school. Longstanding achievement gaps closely track the talent gap found in the classrooms and schools attended by many poor and minority students, and the Administration's reauthorization plan would require States to set clear standards for effective teaching and to design evaluation systems that fairly and rigorously identify effective teachers. The 2012 request supports a restructuring of the ESEA to more effectively recruit, train, reward, and retain effective teachers and school leaders, including

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

\$500 million for a new Teacher and Leader Innovation Fund, built on the strengths of the current Teacher Incentive Fund, to support State and district efforts to reform their human capital systems, and \$250 million for Teacher and Leader Pathways. The request also provides a total of \$835 million for new Effective Teaching and Learning authorities that would make competitive awards focused on high-need LEAs to improve instruction in the areas of literacy, STEM, and other subjects.

In addition to continuing to focus Federal education resources on students from low-income families through the Title I, Part A College- and Career-Ready Students program, the Administration's ESEA reauthorization plan would retain longstanding programs and authorities designed to meet the needs of special populations, including English learners, migrant students, neglected and delinquent students, Native Americans, and homeless children and youth.



ISSUE BRIEF

REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

BACKGROUND

The *Elementary and Secondary Education Act* (ESEA), last reauthorized on January 8, 2002 as the *No Child Left Behind (NCLB) Act*, is the major federal law supporting K-12 public education in America. Originally enacted in 1965, the law established federal policy and authorized federal funding to assist states and local school districts to improve the academic performance of all students enrolled in public schools regardless of economic status, race, ethnicity, proficiency in English or disability. NCLB was scheduled to be reauthorized in 2008. However, the provisions of the law continue to be extended through the congressional appropriations process – including its many flaws.

The *No Child Left Behind (NCLB) Act* requires states to:

- Establish rigorous academic standards.
- Conduct annual assessments at specific grade levels with at least a 95 percent participation rate.
- Implement a comprehensive accountability system that includes extensive data collection and public reporting on student and school performance.
- Direct formal sanctions against Title I schools and their school districts for failing to meet proficiency targets in reading and math.
- Establish new qualification requirements for teachers and paraprofessionals beyond the standards previously established by many states.

Although the intent of Congress was to improve academic achievement by all students, with particular emphasis on English language learners (ELL), students in poverty and students with disabilities, the design of the current accountability framework is seriously flawed. Unfortunately, what has evolved is a measurement framework that bases its assessment of school quality on a student's performance only on a *single assessment*; (an invalid standard for measuring student progress), and mandates a series of overbroad sanctions that have not proven to have significant impact on improving student or school performance compared to other options.

THE OBAMA ADMINISTRATION AND THE 111TH CONGRESS

On March 29, 2010 the U.S. Secretary of Education released the U.S. Department of Education's *Blueprint for the Reauthorization of ESEA*, outlining in very broad terms proposed changes to the current law. The *Blueprint* provided a comprehensive set of initiatives by which the federal government intends to support local school districts to raise student performance and close the achievement gap for academically-struggling students in our public schools. Additionally the *Blueprint*, which would shift in emphasis from being more punitive to more supportive, is indeed a more constructive shift. Furthermore, the renewed emphasis on all students graduating from high school college and career-ready is welcomed.

OFFICE OF ADVOCACY

NSBA voiced support for the overall concept and recognition of the need to overhaul the current law but opposes some of the more specific recommendations. For example, NSBA opposes recommendations in the *Blueprint* that: 1) place greater emphasis on competitive grants while level funding Title I formula-based grants; 2) condition Title I funding (or any major federal funding) to the adoption of state common core standards; 3) mandate specific models to turnaround performing schools that are not evidenced-based; 4) expand the overemphasis on charter schools; and 5) continue the overemphasis on standardized tests.

In our view, these White House and Congressional actions have resulted in unprecedented federal investments in public education, but also have resulted in new and proposed federal eligibility requirements that create new expectations on the part of states and local school districts.

Additionally, the Senate Committee on Health, Education, Labor and Pensions and the House Committee on Education and the Workforce held hearings on major areas of the federal law, and committee staff members began bipartisan discussions regarding draft language on selected provisions. However, the realities of pending legislation and limited remaining floor time resulted in the deferral of ESEA reauthorization to the 112th Congress.

NSBA POSITION

In March 2010, NSBA developed a comprehensive, strategic framework for reauthorizing ESEA that would improve the quality of educational services while ensuring maximum authority and flexibility to local school districts that provide such services. This effort resulted in the development of nearly forty specific recommendations (www.nsba.org/ESEARecommendations.pdf). Congressional adoption of our recommendations would:

- Ensure states and local school districts have greater overall flexibility to make educationally sound decisions, and be free of mandates that unnecessarily or counterproductively hinder school districts from achieving their goals (e.g. mandating the expansion of charter schools and standardized tests as a measure of accountability; and conditioning federal funding on the adoption of state-led common core standards).
- Ensure high-quality, valid and reliable assessments for all students, including English language learners and students with disabilities.
- Support the use of multiple measures of academic achievement that will more accurately determine students' knowledge and performance that reflect the kind of well-rounded education necessary to be successful in the 21st Century economy, as opposed to judging success on their performance on a single assessment.
- Permit the use of growth models and other measures of student achievement that more accurately reflect student and school performance.
- Facilitate strategic interventions that are designed at the local or state level and are targeted to students and schools most in need, rather than impose ineffective and costly sanctions.
- Provide states and school districts support and ensure flexibility to establish programs to enhance teacher/principal quality focusing on preparation, recruitment, retention and evaluation.
- Support efforts by school districts, through a separate funding stream, to develop, expand, coordinate and enhance the quality and availability of voluntary preschool programs for all 3- and 4-year old children.
- Fully fund the law, along with other federal assistance programs that are critical to successfully achieving the goals of the new law, and limit the expansion of competitive grants where such expansion would result in level funding of formula-based grants so critical to students in poverty.

NSBA's recommendations are expected to be well-received during the 112th Congress. With newly elected members in the Republican-controlled United States House of Representatives and nearly one-third of the Democratic-controlled United States Senators in their first term, NSBA will lobby for congressional support with the strong engagement of our local school board members in their respective states and congressional districts. Additionally, NSBA will lobby House and Senate education committee members who have primary jurisdiction over education legislation and maintain our presence before House and Senate education committee formal hearings on various issues under ESEA. Therefore, local school board members urge Congress to:

- Reauthorize ESEA incorporating the recommendations offered by local school board members that would improve the quality and delivery of educational services while maintaining maximum flexibility to schools and school districts in addressing their unique circumstances.
- Conduct formal oversight hearings regarding significant federal regulations/policies, such as the Supplemental Priorities for Competitive Grant Programs, impacting K-12 education to ensure that actions by the Executive Branch are within its authority.
- Enact legislation or request the U.S. Secretary of Education to modify regulations that would provide temporary relief to local school districts from implementing costly restructuring sanctions if ESEA reauthorization is not completed by June 2011.

For further information, contact Reginald M. Felton, director of federal relations at 703-838-6782, or by e-mail at rfelton@nsba.org.



*Excellence and Equity
in Public Education
through School Board
Leadership*

Office of Advocacy

- *C.H. "Sonny" Savoie
President*
- *Anne L. Bryant
Executive Director*
- *Michael A. Resnick
Associate
Executive Director*

March 26, 2010

The Honorable George Miller
Chairman
Committee on Education and Labor
United States House of Representatives
2181 Rayburn House Office Building
Washington, DC 20515

**Re: *National School Boards Association (NSBA) Recommendations for the
Reauthorization of the Elementary and Secondary Education Act***

Dear Chairman Miller:

The National School Boards Association (NSBA) representing over 95,000 local school board members through our state school boards associations is pleased to submit our comprehensive recommendations as the House Committee on Education and Labor prepares for the reauthorization of the *Elementary and Secondary Education Act* (ESEA).

Local school boards across the nation remain committed to the goal of improving the academic performance of all students. Yet, the implementation challenges over the past eight years demonstrate the fact that many of the provisions in the current law do not recognize the complex factors that influence student performance, especially the accountability framework that fails to accurately or fairly assess student, school or school district performance. Therefore, in seeking a nation-wide effort to raise student achievement, we have focused our recommendations on a federal role that offers educational value, is practical from the standpoint of local implementation, and conforms to the fiscal realities that will be facing school districts over the next few years.

Local school board members are optimistic that the reauthorization can be completed before the 111th Congress adjourns, and look forward to working with their members of Congress as the bill is drafted and continues through the legislative process. Our expectations are that the new law would enable schools and school districts to move away from a "one-size-fits-all" approach and replace burdensome, ineffective and costly sanctions with effective supports, incentives and an accountability framework that provides sufficient flexibility to states and local school districts to help students acquire the skills to successfully compete in the global workforce.

The opportunity to formally submit our recommendations is very much appreciated. Questions concerning specific recommendations should be directed to Reginald M. Felton, director, federal relations at 703-838-6782, or by e-mail, rfelton@nsba.org.

Sincerely,

Michael A. Resnick
Associate Executive Director

MAR: rf/kc



Recommendations for the Reauthorization of the *Elementary and Secondary Education Act*

MARCH 2010

BACKGROUND

The Congressional leadership in both the U.S. House of Representatives and the U.S. Senate are beginning the legislative process to reauthorize the *Elementary and Secondary Education Act* (ESEA), last reauthorized as the *No Child Left Behind (NCLB) Act of 2001*. Recently, the U.S. Secretary of Education, Arne Duncan, released the Administration's proposal for the reauthorization of ESEA, *Priorities in a Blueprint for Reform*. That paper outlines broad principles and in some cases offers specific remedies and recommendations. NSBA looks forward to the introduction of a proposed bill so that more specifics can be known and analyzed.

In recognition of this focus on the ESEA reauthorization, local school boards across the nation are re-energizing their grassroots efforts to voice their goals and concerns to members of Congress, the Obama administration officials and other key stakeholders.

In addition to eliminating the overemphasis on standardized tests and sanctions against schools and school districts and an ineffective accountability system, local school board members want Congress to ensure that the significant increased federal investments in public education - as a result of the *American Recovery and Reinvestment Act* (ARRA), the Race to the Top (RTTT) Fund, and the expanded School Improvement Grants (SIG) - will be supported by new legislation that will enable schools and school districts to move away from a "one-size-fits-all" approach and replace burdensome, costly sanctions with effective incentives and a framework that would permit states and local school districts to help students achieve greater academic success.

In the event that Congress does not immediately adopt major reforms in the current law rather than seek to improve current law, NSBA developed comprehensive recommendations for changes to the existing law. These specific recommendations have been incorporated into a new bill, *The School Improvements Act*, H.R. 4837, introduced by Rep. Don Young (R-AK). While the specific language of H.R. 4837 would need to be modified under the major reform bill now being anticipated, the substance of the proposed changes remains relevant for those sections of current law that would be retained.

Without reservation, local school boards continue to support the goals to ensure that our students have the skills to successfully compete in the global workforce. However, many of the provisions in the current law do not recognize the complex factors that influence student performance, especially the accountability framework that does not accurately or fairly assess student, school or school district performance.

OFFICE OF ADVOCACY

National School Boards Association ■ 1680 Duke Street ■ Alexandria, Virginia 22314-3493 ■ (703) 838-6722 ■ Fax: (703) 548-5613 ■ <http://www.nsba.org>

Local school boards believe that what has evolved in the name of accountability in the current law is a measurement framework that bases its assessment of school quality on a student's performance only on a *single assessment* on a single day; and mandates a series of overbroad sanctions not always evidenced-based or targeted to the students needing services. Equally important, such mandated sanctions have not yet proven to have significant impact on improving student or school performance. Clearly the unintended consequences of the current law are imposing implementation problems for local school boards, and the goal of the current law to significantly improve the academic performance of all students is being seriously threatened.

Given the recent actions by Congress and the Secretary of Education, local school boards are optimistic that the reauthorization will be completed before the 111th Congress adjourns. However, should Congress fail to complete the reauthorization of ESEA before the 111th Congress adjourns, local school boards urge Congress, as an alternative, to enact legislation that would provide temporary relief from the costly and burdensome sanctions against schools and school districts. With the continued delays in reauthorizing ESEA, the performance bar of the nation's public schools continues to rise – resulting in more schools being subject to the restructuring sanctions that impose costly implementation problems. Not only are the requirements unsound educationally, but also financially – at a time when school districts are severely cutting their budgets.

IMPLEMENTATION CHALLENGES OF THE CURRENT LAW

Despite its imperfections, the current law has refocused attention on the academic performance of many students (minority, disadvantaged, English language learners (ELL), and those with disabilities) not previously addressed. The current law also includes the requirement for disaggregated data on student performance.

Unfortunately, over the past eight years, local school districts have been forced to shift their efforts to high-stake test preparation, limits on curriculums and on federally-mandated sanctions not based on research, and extensive data collection and reporting that fails to accurately reflect the performance of students, schools or school districts. As a result, local school board members and other state and locally-elected officials have become increasingly aware that successful attainment of the desired national goals is very much dependent upon a significantly enhanced capacity of the state departments of education and the local school districts throughout the country that are currently constrained by declining budgets and other competing priorities.

RECOMMENDATIONS FOR THE REAUTHORIZATION OF ESEA

Therefore, based on concerns expressed by local school boards across the nation, NSBA offers the following recommendations regarding key components of the law:

General Recommendations:

- *ESEA and the recently established requirements and regulations related to Race to the Top (RTTT), School Improvement Grants (SIG), and Investing in Innovation Grant (i3) must be consistent, and where inconsistencies are identified they are resolved prior to enactment.*
- *ESEA should not establish any new conditions for receipt of existing federal grants in programs that are designed for other purposes. For example, the Administration stated it wanted to condition a state's Title I funds to its adoption of state-led core standards proposed by CCSSO and NGA or require states to have their standards validated by its university system.*
- *States and local communities must have maximum flexibility in determining the appropriate interventions to address the needs of their students in accomplishing the broader goals of Congress. As an example," the Administration's proposal to limit school districts to one of four unproven options for turning around the lowest 5 percent performing schools should be replaced or at least expanded to include a fifth option for local educators to design research-based programs and promising initiatives that are locally best suited to meet the specific needs in their school.*

- *Formula-based funding to support students in poverty should not be reduced or increases limited as a trade-off for competitive grants—which are very much influenced by the quality of the grant writers rather than the needs of the local communities.*

Rationale:

While recent Congressional actions have resulted in unprecedented federal investments in public education, these investments have established many new requirements, selection criteria, and definitions that create new expectations on the part of states and local school districts.

The federal government should demonstrate its strong support for the development of state and local constructive remedies to improve teaching, learning, and performance; and tailored federal-state-local partnerships to ensure adequate public funding - rather than simply punishing and discouraging students or schools when they fall short. Secretary Duncan has adopted among his major principles for the reauthorization of ESEA to be “...Tight on goals....Loose on means.” Therefore, the federal government must act to strengthen the local voice not muffle it or constrain it.

In addition to these broader principles addressed above, local school boards have specific concerns and recommendations on how key components of the reauthorization should be addressed:

Assessments & Measures of Learning

Recommendations:

- *Ensure high-quality, valid and reliable assessments are available for all students, especially for English language learners and students with disabilities.*
- *Provide for the use of locally-developed assessments, including observational standards and portfolios, to be considered as part of a multiple assessment system that is applied to any federal accountability framework. The federal government should not develop national high-stakes tests for state and local accountability purposes or condition a state’s receipt of federal program funding to its adopting any particular assessment.*
- *Assessments should be conducted in a manner that would provide timely and meaningful data to enhance instruction.*

Rationale:

Among the major concerns expressed by local school boards regarding assessments and measures of learning is that the commitment was never realized to provide valid and reliable assessments for every student. Federal funding was made available to assist states in the development of assessments, but such funding even when accompanied by state funding was insufficient to ensure validity and reliability for an assessment appropriate for every student.

State-led Common Core Standards

Recommendations:

- *Define the role of the federal government as a supportive role to the states in the development of state academic standards that reflect the elements of a 21st century education. However, the federal government should not be involved in the actual development of those state standards.*
- *Provide technical support to states, if requested, to identify the essential skills that students should have to compete successfully in college and in the global workforce; and to develop and assess those state standards.*
- *Provide assistance to states for the purpose of supporting local school districts in implementing common standards, such as support for professional development, curriculum alignment and course materials.*

- *Establish the federal role as one of partnerships to states -- not only in terms of funding for those students with the greatest needs, but also in serving as a clearinghouse to share and promote ideas and best practices regarding actions to overcome shortfalls in student achievement.*
- *Increase incentives to states and local school districts to create constructive remedies, and provide technical support to the states to assess those state standards.*

Rationale:

Local school boards support state-led common core standards that include sufficient flexibility in operations to effectively and efficiently address the unique challenges of local communities. Additionally, local school boards believe that the federal government should not be involved in the actual development of such standards. Implementation can't simply put new standards in place and expect student achievement to rise without the capacity of schools to implement them.

In order to better understand what specific role the federal government could play related to state-led common core standards, the following clarifications are offered:

- (a) support state and local efforts to provide students with an education that is appropriately focused on the skills and uses of knowledge needed for success in the global and technological world of the 21st century by funding multiple education entities, including regional education entities, to develop model standards for voluntary adoption for those purposes;
- (b) support 1) funding for research; 2) financial assistance to states or groups of states, when requested, to assist them in developing and implementing standards around the skills and uses of knowledge that students will need in the 21st century; and 3) direct financial assistance to states or groups of states, when requested to assist them in developing and implementing content standards;
- (c) oppose efforts to make the aforementioned activities mandatory for states or local school districts or as a condition for the receipt of other federal aid;
- (d) oppose efforts to involve the federal government directly or indirectly (e.g. through an entity over which it can exercise control) to develop mandatory or model national content standards or to mandate the development of common content standards among groups of states; and
- (e) ensure that the National Assessment of Educational Progress (NAEP) and international tests are not extended beyond their current use in providing comparative data through sampling, or used to require or coerce states in developing their own standards or for use in high stakes accountability.

Federal Programs to Fund Charter Schools

Recommendations:

- *Require federally funded Charter Schools to abide by the same educational accountability requirements, and federal environmental, labor, and due process laws that traditional public schools must. Any new legislation should rectify areas where this is not the case and strengthen areas where it is, but it is not clear or firmly directed.*
- *Establish local school boards as the sole authority for granting charters. They should determine accountability and the criteria that should be used in approving charter applications.*
- *Provide local school boards the authority to decertify or not renew the charter of any school that fails to meet criteria set forth in the charter or as otherwise specified by the authorizing local school boards, including but not limited to a requirement that charter schools demonstrate that they are meeting their student achievement goals.*
- *In cases where entities other than the local school district authorize the charter, require all schools receiving public funds to meet the same standards of accountability and ensure that funds for traditional local schools are not diminished or reduced by the funding mechanism for charter schools.*

- Provide ongoing studies to determine: a) whether charter schools are broadly successful; b) the specific conditions and elements that primarily lead to that success; c) the conditions that lead or detract from positive interactions and sharing of information with the traditional public schools in the communities, and d) the educational and financial impact that charters and their growth have on traditional public schools.

Rationale:

Looking to their design, state authorizing legislation or success to characterize the nation’s experience is quite disparate.

The inclusion of charter schools in the 2001 reauthorization of the *Elementary and Secondary Education Act* significantly increased their visibility. Most recently, given the heightened interest in charter schools as a consideration in the awarding of the federal Race to the Top competitive grants program, the widespread interest in them overall in the Obama Administration, and steadily increasing student enrollment, it is instructive to review their approaches, makeup and success throughout the country.

- In seven states, chartering authority rests with local school districts;
- In four states, authority lies with the local school district and a state charter board;
- In nine states, authority is in the hands of the local school district and the state education agency;
- In 11 states, the state education agency is solely responsible;
- In the District of Columbia, the state charter board solely makes decisions; and
- In nine states, authority rests with a combination of those agencies noted above, and in some with an institution of postsecondary education or a non-profit entity.

Public Charter School Authorizers, 2008-2009					
Local School District alone	State Education Agency Alone	Local School District and State Education Agency	Local School District and Independent Charter Board	Independent Charter Board	Combination (in some cases including higher education institution or not-for-profit organization)
AK, IA, KS, MD, TN, VA, WY	AR, CT, HI, MA, MS, NC, NH, NJ, RI, TX, UT	CA, DE, GA, IL, LA, NM, NV, OR, PA	AZ, CO, ID, SC	DC	FL, IN, MI, MN, MO, NY, OH, OK, WI

Source: National Alliance for Public Charter Schools, *Public Charter School Dashboard, 2009*

In 2009, the Center for Research on Education Outcomes (CREDO) conducted a study which analyzed reading and math scores from charter students in 15 states and the District of Columbia and compared them to “virtual twins” based on student demographics, English language proficiency and participation in special education or subsidized lunch programs.

Among its findings, CREDO found that in terms of overall performance only 17 percent of charters performed significantly better (at the 95 percent confidence level) than the traditional public school. However, an even larger group of charters, 37 percent, performed significantly worse than the traditional public schools. The remainder, 46 percent, did not do significantly better or worse. In other words, fully 83 percent of the charters performed the same or worse than the traditional public schools.

Examining CREDO and other credible studies, the Center for Public Education issued a report entitled “Charter Schools: Finding Out the Facts” that showed that: a) states with multiple authorizers did worse than those with fewer agencies that could authorize charters, b) lifting the state caps on charters could not

be conclusively demonstrated to improve the quality of charters overall in the state, and c) local education agencies authorize many more charters than other authorizers. The bottom line is there is not enough research about charters (or the elements that make them succeed or fail) to justify their significant expansion as a foremost strategy for raising student achievement.

Accountability Systems

Recommendations:

- *Provide for the use of multiple measures of academic achievement that will more accurately determine students' knowledge and performance that reflect the kind of well-rounded education necessary to be successful in the 21st Century economy, as opposed to judging success on their performance on a single assessment.*
- *Establish an accountability framework that differentiates among performance expectations separately for students, for schools, for school districts and for states. The current "roll up" and averaging of student performance that ultimately determines the performance of schools and school districts fail to recognize the unique roles, responsibilities and expectations for each category or the unique responsibilities of the states.*
- *Provide states and local school districts with greater overall flexibility to make educationally-sound decisions, and be free of mandates that unnecessarily or counterproductively hinder schools districts from achieving their goals.*
- *Permit across-the-board use of growth models and other measures of student achievement that more accurately and fairly reflect student and school performance.*
- *Facilitate strategic interventions that are designed at the local or state level and are targeted to students and schools most in need, rather than impose ineffective and costly sanctions.*
- *Recognize the complexity in achieving progress through differentiated consequences. Degrees of progress must be addressed in determining incentives, rewards and sanctions.*
- *Refrain from sanctions that are not research-based or those that apply an all or none remedy. As an example, the "blueprint" seeks to replace principals and teachers under the "models." Further, whether teachers or principals are replaced, simply hiring individuals with the same "skill sets" would not necessarily result any change in outcomes.*
- *Any data collection and reporting requirements used for accountability purposes must eliminate duplicate counting of students.*

Rationale:

The federal government must shift its current emphasis of accountability away from penalties and sanctions to one of increased technical support, incentives and federal investments. Accountability models need to recognize that students come from different environments, have different support bases and learn at different rates. For this reason, a federal accountability framework should recognize the importance of student academic growth, not just static scoring. Additionally, federal accountability determinations should not be based solely on high-stakes tests.

Clearly, accountability for states, school districts, schools and students must be measured differently, and the federal government should be able to provide technical assistance to the states in determining the specific measures.

Further, sanctions must be researched-based, and schools and school districts with diverse populations should be not penalized due to duplicate counting of students who belong to more than one demographic group.

High School Graduation Rates

Recommendations:

- *Provide incentives for school districts that improve their on-time graduation rates.*

- *Provide incentives for school districts that establish programs for late graduation to influence students to remain in tailored programs rather than to drop out.*

Rationale:

As part of the ESEA reauthorization it is important to also address low graduation rates, particularly among African American and Latino students. Local school boards believe that greater emphasis must be directed toward improving high school graduation rates. Recent federal regulations now provide for a uniform approach in measuring high school graduation rates that further strengthen accountability. However, current federal policy and regulations fail to recognize schools and school districts for implementing “late graduate” programs and thus discourage districts and schools from establishing innovative programs.

Recent data published by the Center for Public Education (CPE), “Better Late Than Never? Examining Late High School Graduates,” indicates that greater attention and recognition must be given to late graduates as well. The data reveals that while late graduates do not do as well in terms of college enrollment and incomes as on-time graduates, they perform significantly better than GED recipients and those who fail to complete their high school graduation requirements. Moreover, as adults they earn more, are more likely to vote, and have access to health care, etc.

The CPE study suggests that 85 percent of late graduates are employed, and less likely to fall below the poverty line. Additionally, of late graduates who had been employed any time after 1994, close to two-thirds (63 percent) held a job that offered retirement benefits.

Pre-Kindergarten/Early Childhood

Recommendations:

- *Expand access to and funding for high-quality, voluntary pre-kindergarten programs for all three and four year olds by creating a new federal grant program, such as the Early Learning Challenge Fund, that will develop, expand, and enhance the quality of voluntary preschool programs.*
- *Ensure that federally-funded preschool programs adopt developmentally appropriate early education standards that are aligned with state K-12 academic content standards.*

Rationale:

Research proves that quality early childhood education programs help improve children’s school readiness and can help close achievement gaps that exist among children even before they enter school. Research also finds that children who participate in high-quality programs demonstrate greater interest in learning, are less likely to repeat a grade or require special education classes, and are more likely to graduate from high school and attend college. For every dollar invested in prekindergarten programs, the return can be as high as \$16, making it both smart education and economic policy. States have recognized the benefits of early childhood education and as many as 38 fund preschool for three and four-year-olds. However, only about 24 percent of all four-year-olds and just 4 percent of all three year-olds nationally are actually enrolled in state-funded preschool programs.

Since 2006, NSBA and its Center for Public Education have collaborated with the Pew Charitable Trusts/Pre-K Now to engage school boards in support of high quality, voluntary pre-kindergarten education. Through partnerships with state school boards associations to promote greater access to voluntary, high-quality pre-kindergarten programs, it is the belief that such programs will propel schools’ efforts to raise student achievement and close achievement gaps.

The 2009 *Phi Delta Kappa/Gallup Poll* on attitudes toward public education shows strong support for early education – particularly in public schools. In fact, five out of ten Americans believe preschool programs should be housed in public schools, with parents even more supportive of that idea.

Teacher & Principal Effectiveness

Recommendations:

- *Provide incentives to states and districts to help recruit, retain and reward effective teachers and principals in schools that most need them, and for subjects with shortages (e.g. math, science, foreign languages, special education). Incentives should include support for locally-designed performance pay programs. Recruitment and retention incentives and funding (e.g. Title II of ESEA) should cover a portfolio of spending options for districts to reflect unique local conditions;*
- *Invest in professional development initiatives to enable educators and school leaders to effectively provide 21st century instruction skills, including the use of technology to transform learning;*
- *Fund, facilitate and disseminate quality research, best practices and innovations on effective teaching and school leadership; and,*
- *Assist in broadening the pool of new and effective teacher candidates by supporting programs that offer alternative routes to certification that can help increase the number of minority teachers, as well as mid-career professionals.*
- *Require all teacher preparation programs funded by public dollars to collaborate with states and local districts to meet their needs, including appropriate alignment of teacher preparation programs with state standards and higher level learning skills.*
- *Support efforts by states to hold such institutions accountable for the quality and preparation of their program's graduates.*
- *Expand federal support focused on effective school leadership, through partnerships with universities and promotion of research-based programs.*
- *Support new performance management systems that include, in addition to other key factors, measures of student progress and performance; and engage all major stakeholders to ensure that interventions include a wide range of supports prior to reassignment or termination.*

Rationale:

Research indicates no other school-related factor has a greater impact on student achievement than the quality and effectiveness of the student's teacher. Further, increasingly studies also point to school leadership as the second most impactful factor in improving the learning environment. Meanwhile, school districts nationwide face challenges involving both teacher and principal recruitment and retention, particularly in high-need subjects and harder-to-staff schools. The federal government should play a limited, but helpful role by assisting states and districts in meeting the challenges of recruiting, retaining and rewarding quality teachers and principals for its students.

Hiring and staffing decisions, as well as professional development programs, are the responsibility of local school districts. Success will ultimately depend on the collaborative and ongoing efforts of school and community leaders and the institutions that prepare teachers and principals. Congress should be mindful of that fact as it considers legislation that aims to strengthen teacher and principal effectiveness. NSBA believes the federal government should play a limited, but not unimportant, role by assisting states and local school districts in their teacher and principal recruitment, retention and professional development efforts through targeted incentives and fewer federal restrictions.

21st Century Teaching and Learning Environments

Recommendations:

- *Provide incentives in partnership with the states to help districts recruit and retain highly effective teachers and fill gaps in hard-to-staff schools and high-need schools, including incentives to support locally-designed performance pay programs;*
- *Provide research, best practices and information, and technical assistance that is easily accessible and geared for use by local educators and policymakers;*
- *Support efforts to develop and expand instructional practices, including such emerging approaches as Universal Design for Learning (UDL), through teacher preparation programs to enable teachers to be successful in teaching 21st century skills and inspiring our evolving student population;*
- *Support state efforts to establish 21st century standards, including identifying the skills and uses of information students will need; as well as new opportunities for early education programs, proficiency in foreign languages, world geography, math, science and technology;*
- *Support efforts to raise expectations and close the achievement gap while raising the achievement of all students through such approaches as alternate schedules and non-traditional public school structures such as distance learning and other proven methods of instruction; and,*
- *Support efforts to ensure students will be prepared to succeed in a globally-competitive society and everyday 21st century life through the development of their cognitive and analytical skills, their application of knowledge, and their attitudes toward education and lifelong learning;*
- *Provide flexibility in federal laws to enable school districts to teach students the higher-order, critical thinking skills that are important for the 21st century workplace;*
- *Invest in research and innovations and disseminate best practices, including identifying the skills and uses of knowledge that students will need to possess to succeed in the 21st century workplace, such as cognitive skills, problem solving abilities, creative and analytical thinking, teamwork and communications skills, intellectual curiosity, and a commitment to lifelong learning;*
- *Invest in making broadband Internet access available to fully meet the needs of all schools, including E-rate related services;*
- *Invest in professional development to enable teachers and school leaders to adequately teach 21st century learning, as well as to effectively use technology resources in the classroom; and,*
- *Provide incentives to help states and districts fill teacher shortages in high-need subject areas vital to our future economy, such as math and science.*

Rationale:

Our nation's global competitiveness and democracy rests squarely on a strong education system. The continued success of this system requires ongoing support and investment at all levels.

In order for students to gain the skills and knowledge they need to be successful citizens in the 21st century, school districts must be able to:

- 1) Provide a rigorous curriculum that is integrated with modern technologies and tools;
- 2) Provide an education program that includes the uses of knowledge and cognitive development at levels that meet the realities and standards of a competitive global economy and emerging everyday life; and,
- 3) Implement a strategic focus on math, science, engineering, technology and foreign languages that is necessary in a global economy that increasingly will require competency in these areas.

The federal government can play a critical role in helping shape our nation's economic future by supporting local school districts in these efforts.

Coordination and Streamlining of Comprehensive Services for Children

Recommendation:

- *Provide incentives for more effective and efficient inter-agency collaboration and coordination among those federal, state and local agencies that serve students with educational challenges arising from a disability or the circumstance of poverty, family factors, or negative factors in the community.*

Rationale:

While federal agencies continue to increase their efforts to effectively address the needs of families in poverty (e.g. housing, health, protective services, etc.) and other circumstances, there is a critical desire for increased coordination and provision of services. The federal government must re-direct and strengthen its efforts to ensure better coordination and collaboration among federal agencies that serve the needs of students in poverty. All too often, students who are shortchanged in education also are shortchanged in other aspects of their lives and can benefit from improved services in those areas that would compliment schools' ongoing efforts to raise achievement.

If need be, the Committee should seek joint jurisdiction with other committees that oversee relevant agencies to ensure that this essential component of the reauthorization can be addressed in a comprehensive manner.

For further information, contact Reginald M. Felton, director of federal relations at 703-838-6782, or by e-mail at rfelton@nsba.org.

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ESEA Reauthorization: Local School Board Issues and Priorities

38th Annual FRN Conference
Washington, DC
February 7, 2011



Reginald M. Felton, Director of Federal Relations
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National School Boards Association

Discussion Overview

- Background
- Key provisions of current law (NCLB)
- Selected key programs of current law (NCLB)
- Local school boards' position on current law
- Current political environment
- Selected factors impacting ESEA legislative process
- Key influences of the Obama Administration
- 111th Congressional activity supporting ESEA reauthorization
- Local school boards' recommendations
- Q & A

Background

- Most comprehensive federal policy for public education.
- Supplements state and local K-12 programs.
- Originally enacted in 1965.
- Last reauthorized on January 8, 2002 as the *No Child Left Behind (NCLB) Act*.
- Expired end of 2007-2008 school year/extended via Congressional appropriations process.

Key Provisions of Current Law

- Rigorous content & performance standards.
- Annual assessments requiring 95% participation rate in every district.
- Extensive disaggregated data collection.
- Public reporting.
- Complex accountability system.
- Formal sanctions against Title I schools.
- Expanded qualification requirements for teachers and paraprofessionals.

Selected Key Programs of Current Law

- Education for the Disadvantaged – Title I
- 21st Century Community Learning Centers
- Safe and Drug-Free Schools Programs
- English Language Instruction
- Migrant Education
- Education Technology
- Teacher Quality
- Rural Education
- Impact Aid

Local School Boards' Position on Current Law

- Strong support for goals of program, strengthened accountability, and focus on performance of groups (race, ethnicity, disability, economic status, etc.).
- Opposition to overemphasis on high stakes testing, influence of invalid assessments, mandated sanctions not based in research, and inaccurate and unfair accountability system.

Current Political Environment

- United States House of Representatives
- United States Senate
- House Committee on Education and the Workforce
- Senate Committee on Health, Education, Labor and Pensions
- Other Influentials

Current Political Environment

First Session – 112th Congress

U.S. House of Representatives

Full House*		
Party	New Members	Total
Democrat	9	192
Republican	87	242

*One uncalled race

Committee on Education and the Workforce		
Party	New Members	Total
Democrat	0	17
Republican	12	23

Subcommittee on Early Childhood, Elementary and Secondary Education		
Party	New Members	Total
Democrat	0	9
Republican	5	11 <i>(one vacancy)</i>

Current Political Environment First Session – 112th Congress

U.S. Senate

Full Senate		
Party	New Members	Total
Democrat	3	51
Republican	13	47
Independent	0	2

Committee on Health, Education, Labor and Pensions (HELP)		
Party	New Members	Total
Democrat	1	12
Republican	0	10
Independent	0	1

**Subcommittee on Children and Families – official information not available at press time.*

Selected Factors Impacting ESEA Legislative Process

- Healthcare repeal legislation.
- Continuing resolution/proposed spending cuts.
- Call for civility.
- Current economy and projected trends.
- Other unanticipated events.

Key Influences of the Obama Administration

- Economic Recovery funding addresses education:
 - IDEA
 - Title I
 - Rigorous Standards and Meaningful Assessments
 - Great Teachers and Leaders
 - Transforming Persistently, Low-Performing Schools
 - Effective Use of Data
 - Improved Instruction
 - School Improvement
 - Innovations

Key Influences of the Obama Administration

- State-led common core state standards.
- Charter schools.
- Teacher & principal effectiveness.
- State-led and administered common assessments.



111th Congressional Activity Supporting ESEA Reauthorization

- Posturing
- Congressional hearings
- Introduction of numerous bills in Senate and House
- Initial drafting
- Ultimate deferral

Local School Boards' Recommendations

Federal Role

1. Restore flexibility to local school boards regarding delivery of education services.
 - Encourage Dept. of Education to reverse current trend of “top-down” approach.
 - Conduct meaningful oversight hearings to ensure that regulations and guidelines are consistent with authorities delegated to the Executive Branch.
 - Eliminate unnecessary and counterproductive federal mandates.

Why Address the Federal Role?

- Federal role has taken an unhealthy and unproductive “top-down approach” that has not worked.
- Educating our children must remain a principal function of state and local communities.
 - Ownership
 - Major source of funding
- Emphasis must be on creating constructive remedies, locally-developed strategies.
- Eliminate unnecessary and counterproductive mandates.

Local School Boards' Recommendations

2. Improve the provisions in the current law.
 - Replace flawed accountability framework that is fair, accurate and supportive for academic success.
 - Ensure valid and reliable assessments for all students.
 - Provide for multiple measures of achievement.
 - Support the use of growth models.
 - Facilitate interventions at state and local level.

Local School Boards' Recommendations

- Revise measures for determining HS graduation beyond 4-year cohort.
- Shift emphasis to teacher effectiveness supporting recruitment, retention and appropriate and fair measures of knowledge and competencies.
- Support framework for early learning that supports maximum flexibility and voluntary role of local school districts, separate funding grant program, and high standards aligned with K-12.
- Commit to full federal funding, limiting expansion of competitive grants that would reduce or restrict subsequent funding for formula-based grants.

Why Revise the Current Law (NCLB)?

- Requirements must directly relate to improving student achievement.
- System must be viewed as fair, reliable, and achievable.
- System must improve capacity of states and local school districts.
- Focus must be on ensuring positive and sustained changes in academic outcomes.

Local School Boards' Recommendations

3. Complete the reauthorization by June 30, 2011.

Why reauthorize by June 30, 2011?

- Preclude schools and school districts from being subject to costly and burdensome reporting requirements and sanctions based on inaccurate data.
- Eliminate the mislabeling of schools.
- Reaffirm new direction and emphasis on improved education outcomes.

Local School Boards' Recommendations

4. If reauthorization is not completed, defer NCLB sanctions on schools and school districts to avoid costly, ineffective actions.

Why Defer Sanctions?

- Current sanctions have had little impact on improving academic performance.
- Local school districts can redirect resources to support initiatives that improve academic performance.
- Local school districts can develop initiatives to address unique circumstances within their schools.

Questions?



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Visit our website at www.nsba.org/advocacy
And our Economic Stimulus Resource Center at
www.nsba.org/economicstimulus

Current Political Environment First Session – 112th Congress

Key Players U.S. House of Representatives

John Kline (R-MN-2), *Chairman, Committee on Education and the Workforce*
Duncan Hunter (R-CA-52), *Chairman, Subcommittee on Early Childhood, Elementary and Secondary Education*
George Miller (D-CA-7), *Ranking Member, Committee on Education and the Workforce*
Dale Kildee (D-MI-5), *Ranking Member, Subcommittee on Early Childhood, Elementary and Secondary Education*

Key Players U.S. Senate

Tom Harkin (D-IA), *Chairman, Health, Education, Labor and Pensions Committee*
Unavailable, Chairman, Subcommittee on Children and Families
Mike Enzi (R-WY), *Ranking Member, Health, Education, Labor and Pensions Committee*
Unavailable, Ranking Member, Subcommittee on Children and Families

House Committee on Education and the Workforce

Majority Members

John Kline (MN-2), *Chairman*
Thomas E. Petri (WY-6)
Howard P. “Buck” McKeon (CA-25)
Judy Biggert (IL-13)
Todd Platts (PA-19)
Joe Wilson (SC-2)
Virginia Foxx (NC-5)
Duncan Hunter (CA-52)
Phil Roe (TN-1)
Glenn Thompson (PA-5)
Tim Walberg (MI-7)
Scott DesJarlais (TN-4)
Richard Hanna (NY-24)
Todd Rokita (IN-4)
Larry Bucshon (IN-8)
Trey Gowdy (SC-4)
Lou Barletta (PA-11)
Kristi Noem (SD-At-Large)
Martha Roby (AL-2)
Joe Heck (NV-3)
Dennis Ross (FL-12)
Mike Kelly (PA-3)
Vacancy

Minority Members

George Miller (CA-7), *Ranking Member*
Dale Kildee (MI-5)
Donald M. Payne (NJ-10)
Robert E. Andrews (NJ-1)
Robert C. Scott (VA-3)
Lynn C. Woolsey (CA-6)
Rubén Hinojosa (TX-15)
Carolyn McCarthy (NY-4)
John F. Tierney (MA-6)
Dennis J. Kucinich (OH-10)
David Wu (OR-1)
Rush D. Holt (NJ-12)
Susan A. Davis (CA-53)
Raúl M. Grijalva (AZ-7)
Timothy H. Bishop (NY-1)
Dave Loebsack (IA-2)
Mazie Hirono (HI-2)

Senate Health, Education, Labor and Pensions (HELP) Committee

Majority Members

Tom Harkin (IA), *Chairman*
Barbara Mikulski (MD)
Jeff Bingaman (NM)
Patty Murray (WA)
Bernard Sanders (I-VT)
Robert Casey (PA)
Kay Hagan (NC)
Jeff Merkley (OR)
Al Franken (MN)
Michael Bennet (CO)
Sheldon Whitehouse (RI)
Richard Blumenthal (CT)

Minority Members

Mike Enzi (WY), *Ranking Member*
Lamar Alexander (TN)
Richard Burr (NC)
Johnny Isakson (GA)
Rand Paul (KY)
Orrin Hatch (UT)
John McCain (AZ)
Pat Roberts (KS)
Lisa Murkowski (AK)
Mark Kirk (IL)

Governors

	Democrats	Republicans	Independent
Current	13	25	1
Re-elected	6	6	0

National Governors Association

Chris Gregoire (D-WA), *NGA Chair*
Dave Heineman (R-NE), *NGA Vice Chair*

NGA Executive Committee

Jack Markell (DE)
Mitch Daniels (IN)
Deval Patrick (D-MA)
Haley Barbour (R-MS)
Chris Christie (R-NJ)
Mary Fallin (R-OK)
Mark Dayton (D-MN)

Education, Early Childhood and Workforce Committee

Jay Nixon (MO), *Chair*
Robert F. McDonnell (VA), *Vice Chair*
John Hickenlooper (CO)
Jack Markell (DE)
Eddie Calvo (Guam)
Deval Patrick (MA)
John R. Kasich (OH)
Lincoln Chafee (RI)
Nikki Haley (SC)
Bill Haslam (TN)
Rick Perry (TX)
Peter Shumlin (VT)
John P. deJongh, Jr. (Virgin Islands)



AASA 2011 AASA Legislative Agenda

AASA Positions on the Reauthorization of the Elementary and Secondary Education Act

Guiding Principles

- If ESEA is not reauthorized this year, schools must be granted significant relief from ESEA's mandated punishments for the 2011-12 school year.
- AASA supports a Common Core of Standards and the Common Core State Standards Initiative coordinated by the National Governors Association and the Council of Chief State School Officers.
- ESEA funds must be carefully targeted and delivered primarily through formulas based on the percentage of poverty in a school system. Percentage of poverty should be determined by free and reduced lunch counts.
- The jurisdiction of ESEA regulations, guidance and evaluations should be limited to ESEA programs and required federal approval of state regulations and statutes beyond ESEA programs as a condition of receiving ESEA funds should be prohibited.
- The federal government should supplement and support, not dictate the policies and responsibilities of local school districts.
- School systems should not be required to spend state and local funds for federal mandates.
- Any reduction in federal support must be accompanied by a commensurate reduction in federal mandates.
- ESEA funds should be used to better connect federal programs aimed at children's health and personal and social development to students and families.
- Federal funds should be allocated to the local level as directly as possible, with the exception of those school districts whose audits demonstrate inappropriate use of federal funds.

The following statements outline AASA's positions on a variety of education issues related to the Elementary and Secondary Education Act. These statements guide the work of AASA's advocacy and policy efforts throughout the year.

Improving Standards and Accountability for Students Served with Federal Dollars

- Separate accountability and instructional measures, recognizing that one test cannot serve both purposes.
- Improve the clarity and accuracy of accountability measures.
- Make testing for accountability less intrusive to instruction and less costly.
- Measure student progress by growth in achievement for both accountability and instruction.
- Use multiple sources of valid and reliable information to measure achievement and evaluate instruction
- Measure special education students in accordance with the Individualized Education Program and not subject to arbitrary percentage caps.
- Assess English language learners in a language they understand.
- Shift from emphasizing punishment in accountability to building capacity and rewarding success.
- Continue to disaggregate student outcomes and adjust for new student categories.
- Permit multiple assessment opportunities to bring students served by Title I to an acceptable performance level.
- Eliminate mandatory set-asides in Title I of ESEA, especially the 20 percent for Supplemental Educational Services.
- Allow calculation of three- to six-year graduation rates, without penalty.
- Include GED as a high school credential that counts toward the graduation rate.
- Recognize alternative pathways to graduation in ESEA accountability.

Improving Struggling Schools

- Target the very lowest-achieving schools in each state for extra assistance and funding, on a triennial basis.
- Focus state intervention in the lowest-achieving schools on building capacity.
- Ensure states have the responsibility for defining and identifying the lowest-achieving schools, including special conditions for alternative schools.
- Plan and implement state intervention in conjunction with school districts.
- Support a broad range of turn-around models that include flexibility, avoid universal application and are locally implemented.

Improving the Effectiveness of Teachers and Administrators

- Ensure that accountability for the effectiveness of teachers and administrators is a responsibility of state government and local school districts, and not the federal government.
- Ensure that compensation based on the effectiveness of teachers and administrators is a decision of state government and local school districts, and not the federal government.
- Ensure that evaluations for teachers and administrators involved in programs funded by ESEA are created at the local school district.
- Permit school districts to use ESEA funds to encourage teachers to work in hard-to-staff schools.
- Provide additional funds to hard-to-staff schools for instructional technology and, professional development.
- Distribute professional development funds in Title II of ESEA primarily by a formula based on percentage of poverty.
- Provide sufficient local flexibility in professional development programs to be effective in all settings.

Improving the Effective Use of Data

- Provide funding to school districts to implement and maintain data systems.
- Open all data systems funded by ESEA to local administrators and teachers.
- Ensure federal funds cover the costs imposed by federal requests for data, reporting and grant application requirements.
- Screen federal requests for data for appropriateness, usefulness and usability.

Services for Special Populations and Conditions

- Distribute funds to school systems through formulas and maximize local control.
- Authorize and fund a dual-language pilot program for schools serving concentrations of low-income and minority students.
- Increase funding for the extended day and year programs under 21st Century Community Learning Centers.
- Fully fund the Rural Education Achievement Program Reauthorization Act.
- Expand programs to address the unique needs of Indian/Native American, Native Hawaiian and Native Alaskan communities.
- Provide full funding of Impact Aid.

AASA Positions on Federal Programs not in ESEA

The following statements outline AASA's positions on federal education programs outside of ESEA. These statements guide the work of AASA's advocacy and policy efforts throughout the year.

IDEA

- Make IDEA funding mandatory at 40 percent of the national average per-pupil expenditure.
- Permit school districts to reduce local effort by up to 100 percent of federal funding increases.
- Eliminate the requirement for parental consent for Medicaid reimbursement..

School Food Service Programs

- Avoid federal overreach into nutrition policies, which are best addressed at the local level.

Early Childhood Education

- Recognize that the federal government has a responsibility to address the array of social factors that have been shown to affect student achievement (including poverty, health care, housing, early education and childcare) as they work with state government and local school districts to help prepare children for success in school in their first five years of life.
- Improve access to high-quality federal child care programs for families in poverty and the working poor.
- Make sure federal support for early childhood education includes tax incentives for employers to provide support for child care and after-school care for children of all ages.
- Make early childhood education available to all children as a crucial link to reducing the achievement gap.
- Support coordination of early childhood programs regardless of funding source.

Health Care

- Permit schools to claim reimbursement from Medicaid for health-care services to students served under section 504 of the Vocational Rehabilitation Act.
- Require the Centers for Medicare and Medicaid Services work with states and local school districts to ensure a uniform and reasonable methodology for claiming reimbursement from Medicaid.
- Increase Medicaid reimbursements for low-income students, including school-based administrative and transportation claims.
- Ensure school districts have access to mental health services funded by the Substance Abuse and Mental Health Services Administration for students in need of such assistance.
- Continue the Children's Health Insurance Program (CHIP).

E-Rate and Instructional Technology

- Raise the funding cap for E-Rate to meet demand.
- Continue to include the E-Rate program in the Universal Service Fund.
- Reduce the paperwork requirements for participation in the E-Rate program while maintaining program integrity.
- Create and support a robust research and development arm in the U.S. Department of Education to address instructional technology in schools.
- Recognize the strong role that public schools can play in supporting efforts to expand broadband to all parts of the country.
- Support permanent exemption from the Anti-Deficiency Act.

Vouchers

- Oppose federal funding to non-public schools.
- Oppose special education vouchers.
- Permit the private school voucher program in the District of Columbia, known as the D.C. Opportunity Scholarship Program, to expire and eliminate the authorization of the program.

School Construction

- Make Qualified Zone Academy Bonds and Qualified School Construction Bonds more marketable.
- Provide direct-to-district federal grants and stimulus funds for school modernization, renovation, greening and new construction.

Seclusion and Restraint

- Include funding for professional development in federal mandates regarding seclusion and restraint.
- Permit engagement of parents regarding safe and appropriate seclusion and restraint in Individualized Education Plans and Behavioral Intervention Plans.
- Allow monitored seclusion and restraint as an option of last resort for students who pose a danger to themselves and others.

Foster Care

- Ensure transportation costs for foster children is the responsibility of the state
- Ensure school districts have access to all relevant data pertaining to student academic, social, emotion, criminal, and behavioral records upon student enrollment.

Criminal Background Checks

- Support coordination of, and communication between, existing federal and state criminal background databases.
- Support the development of a national database of sexual offenders and child predators that school districts can access for criminal background checks.

Stimulus and Fiscal Support for State and Local Revenue Shortfalls

- Ensure that states receiving State Fiscal Stabilization Fund or Education Jobs Fund dollars, either now or in the future, are not able to disproportionately reduce the amount of state spending on education relative to other areas of their budget.
- Ensure that additional federal education funding dollars are in addition to, not in place of, state or local effort.



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**Position of AASA on the Reauthorization of the
Elementary and Secondary Education Act
March 2010**

Overview

- 1) Reauthorize the Elementary and Secondary Education Act (ESEA) this year. If reauthorization does not happen, school districts must be given immediate relief from the harmful sanctions of No Child Left Behind.
- 2) The limited federal dollars must be focused on students in poverty. That focus should be based on percentages of students in poverty, not raw numbers.
- 3) School administrators across the country support federal funding through formulas not competitive grants. Competitive grants lead to inequality and are not financially stable in these economic times.
- 4) The accountability system should be made up of measures of growth that differentiate levels of success. We support the encouragement for states to adopt systems of assessments that give teachers and principals the information they need to improve individual student achievement.
- 5) We support the direction of the state led Common Core Standards but it must be considered one of several ways for states to adopt college and career ready standards.
- 6) AASA supports the emphasis on teachers and leaders but setting evaluation criteria should remain a local decision.
- 7) We support eliminating barriers to learning by encouraging coordination of federal agencies that provide services that impact students in poverty.

Detailed Legislative Positions: The following statements outline AASA's positions on a variety of education issues related to ESEA. These statements guide the work of AASA's advocacy and policy efforts throughout the year.

Critical Assumptions

- ESEA must be reauthorized in this session of Congress. If ESEA is not reauthorized, schools must be granted significant relief from ESEA's mandated punishments.
- AASA values a Common Core of Standards and the Common Core State Standards Initiative coordinated by the National Governors Association and the Council of Chief State School Officers.
- ESEA funds must be carefully targeted and delivered primarily through formulas based on the percentage of poverty in a school system. Percentage of poverty should be determined by free and reduced lunch counts.
- The jurisdiction of ESEA regulations, guidance and evaluations should be limited to ESEA programs and required federal approval of state regulations and statutes beyond ESEA programs as a condition of receiving ESEA funds should be prohibited.
- The federal government should supplement and support, not dictate the work of local school districts.
- School systems should not be required to spend state and local funds for federal mandates.
- ESEA funds should be used to better connect federal programs aimed at children's health and personal and social development to students and families.

Improving Standards and Assessments

- Improve the clarity and accuracy of accountability measures.
- Make testing for accountability less intrusive to instruction and less costly.
- Measure student progress by growth in achievement.
- Use multiple sources of valid and reliable information to measure achievement.
- Measure special education students in accordance with the Individualized Education Program and not subject to arbitrary percentage caps.
- Assess English language learners in a language they understand.
- Shift from emphasizing punishment in accountability to building capacity and rewarding success.
- Continue to disaggregate student outcomes by the categories used in No Child Left Behind.
- Permit multiple assessment opportunities to bring students served by Title I to an acceptable performance level.
- Reduce mandatory set-asides in Title I of ESEA, especially the 20 percent for Supplemental Educational Services.
- Do not mandate a four-year graduation requirement for accountability.
- Recognize alternative pathways to graduation in ESEA accountability.

Improving Struggling Schools

- Target the very lowest-achieving schools for extra assistance and funding.
- Focus state intervention in the lowest-scoring schools on building capacity.
- Plan and implement state intervention in conjunction with school districts.
- Allow for flexibility when identifying schools with the lowest achievement for ESEA accountability, in order to consider special conditions for alternative schools.

Improving the Effectiveness of Teachers and Administrators

- Ensure that evaluations for teachers and principals involved in programs funded by ESEA are created at the local school district.
- Permit school districts to use ESEA funds to encourage teachers to work in hard-to-staff schools.
- Provide additional funds to hard-to-staff schools for instructional and professional development technology.
- Distribute professional development funds in Title II of ESEA primarily by a formula based on percentage of poverty.
- Provide sufficient local flexibility in professional development programs to be effective in all settings.

Improving the Effective Use of Data

- Provide funding to school districts to implement and maintain data systems.
- Open all data systems funded by ESEA to local administrators and teachers.
- Ensure federal funds cover the costs imposed by federal requests for data, reporting and grant application requirements.
- Screen federal requests for data for appropriateness, usefulness and usability.

Services for Special Populations and Conditions

- Drive funds to school systems through formulas and maximize local control.
- Authorize and fund a dual-language pilot program for schools serving concentrations of low-income and minority students.
- Increase funding for the extended day and year programs under 21st Century Community Learning Centers.
- Reinstate the Safe and Drug Free Schools program.
- Fully fund the Rural Education Achievement Program Reauthorization Act.
- Expand programs to address the unique needs of Indian/Native American, Native Hawaiian and Native Alaskan communities.
- Provide full funding of Impact Aid.

AASA's Thoughts on the Administration's Blueprint for ESEA Reauthorization: The following are a summary of AASA's reactions to the Administration's blueprint, divided into areas of support and areas of concern.

Blueprint Components AASA Supports:

- The Administration blueprint eliminates five major concerns for administrators:
 - AYP, a linear, mechanical calculation is replaced by growth/progress
 - All-or-nothing accountability
 - 100% proficiency mandate
 - One snap shot test for a moment in time
 - Comparison of this year's third grade with last year's third grade
- A clear, attainable, measurable goal – US will lead the world in percentage of college graduates by 2020
- Mandate to improve standards – Common core or higher education system approved – internationally bench marked, clear learning progressions from K through 12
- Mandate to improve assessments – aligned to standards and more accurate and individualized
- More accurate & differentiated accountability – not high stakes on one group of students
- Rewards as well as punishment –10% of schools who show the most growth and progress get flexibility and recognition
- Focus on improving teaching and leadership- Focus on teacher and leader preparation and development - transitions from just qualifications towards effectiveness in instruction
- Greater focus on total child – Gathering and reporting school climate and other curriculum information, more than reading and math. Focus on integrating services for students in poverty.

Blueprint Components that Concern AASA:

- The shift to competitive grants away from formula grants- The administration's budget proposal puts ALL of the new money in competitive grants. It is clear that while they want to create new competitive grant pipelines, they want to level fund important formulas like Title I and cut the formula funding for teachers and professional development.
- The federal role is enlarged, with many requirements: new and old – This is very prescriptive even though the text says the intent is to be tight on goals and loose on means.
- Concerned that the overemphasis and priority on adoption of the Common Core will disrupt the state leadership on this issue – Increased push (through Title I requirements and priority for competitive grants) to adopt the common core will inevitably lead to federal control.
- Continuing to use discredited tests and accountability calculations – President Obama and Secretary Duncan have criticized the current crop of state tests but use these same faulted tests to evaluate teachers and schools until new assessments are available.
- School improvement models for bottom 5% are not based on scientific evidence or predictable success in practice, while the schools in the reward category and the next two challenge categories are to use "scientifically based" interventions.
- The new data system is a huge unfunded mandate for districts - The administration proposes new state grants and state authority to take funds meant for districts to pay for state collection of data and the new data system.
- Completely unclear about how to force an equitable distribution of effective teachers and principals – Language is unclear about how this would be accomplished and does not take into account the free will of teachers to teach where they want to.

We look forward to working with you on these issues as you move forward on the development of legislation to reauthorize the Elementary and Secondary Education Act.

ALL CHILDREN WILL LEARN

AASA's Proposal for Reauthorization of the Elementary and Secondary Education Act

Developed January 2009, by the
AASA Executive Committee
Approved February 2009, by the
AASA Governing Board

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Reframing ESEA: The AASA Proposal

- **Create a continuum of support based on a continuum of need – A systemic plan to improve schools rather than a disjointed collection of unrelated programs**

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Reframing ESEA

Three Key Assumptions

1. Money makes a difference.
2. Serving the total child will improve educational outcomes.
3. The federal share of K-12 spending (8%) will not change.

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Reframing ESEA

AASA's Proposal: Systemically align 93 disconnected programs to focus on high-poverty and minority students.

1965

ESEA

4 Titles containing 3 grant programs



2002

No Child Left Behind

11 Titles containing 93 grant programs

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Reframing ESEA

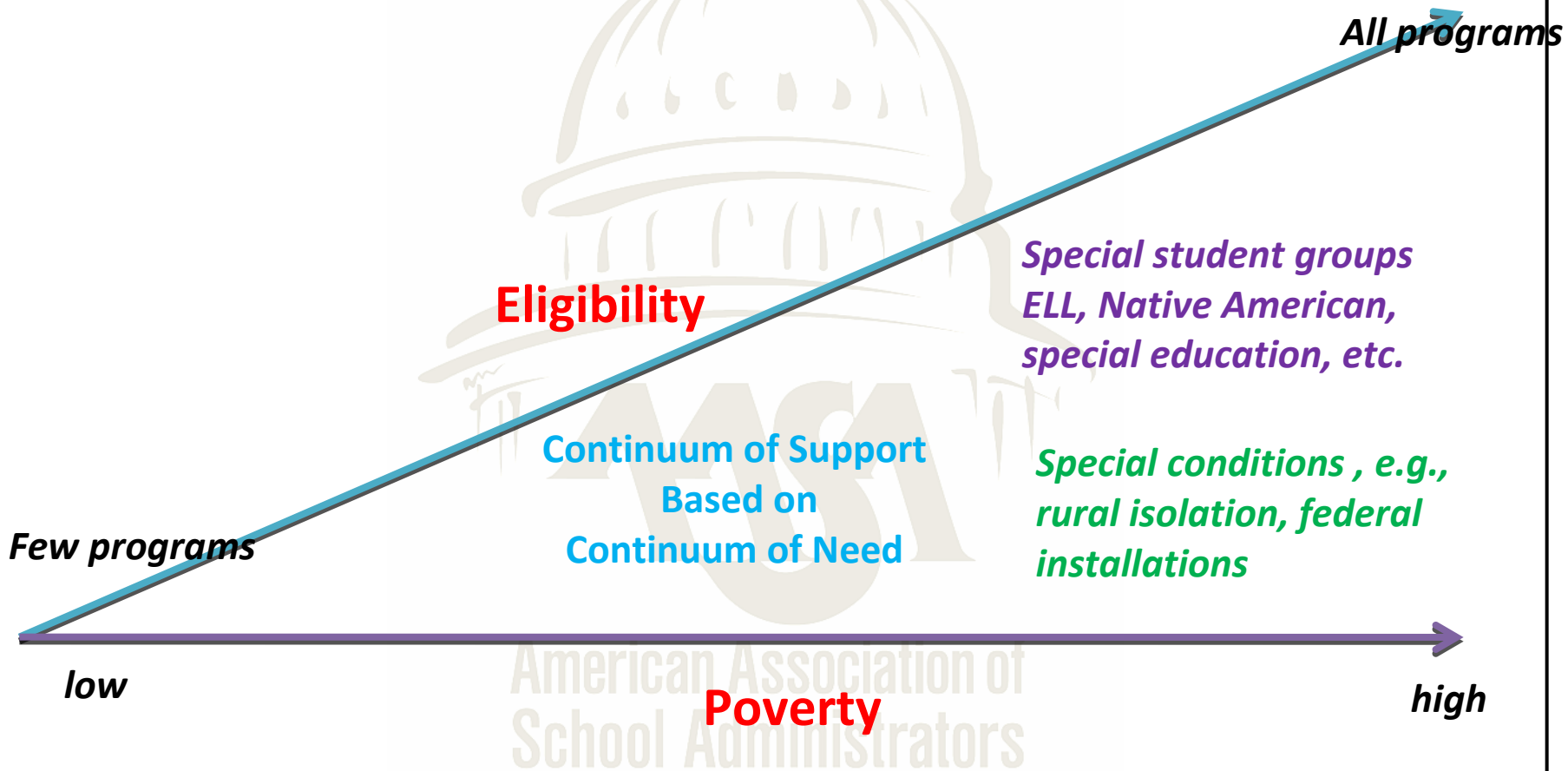
AASA's Proposal: A continuum of systemically related services and support based on a continuum of need

- Need based primarily on poverty – *definition TBD by feds*
 - There is a disagreement over the Title I formula – AASA is neutral
- Need also includes special populations – *such as ELL and special education students*
- Need also includes special conditions – *such as rural isolation*

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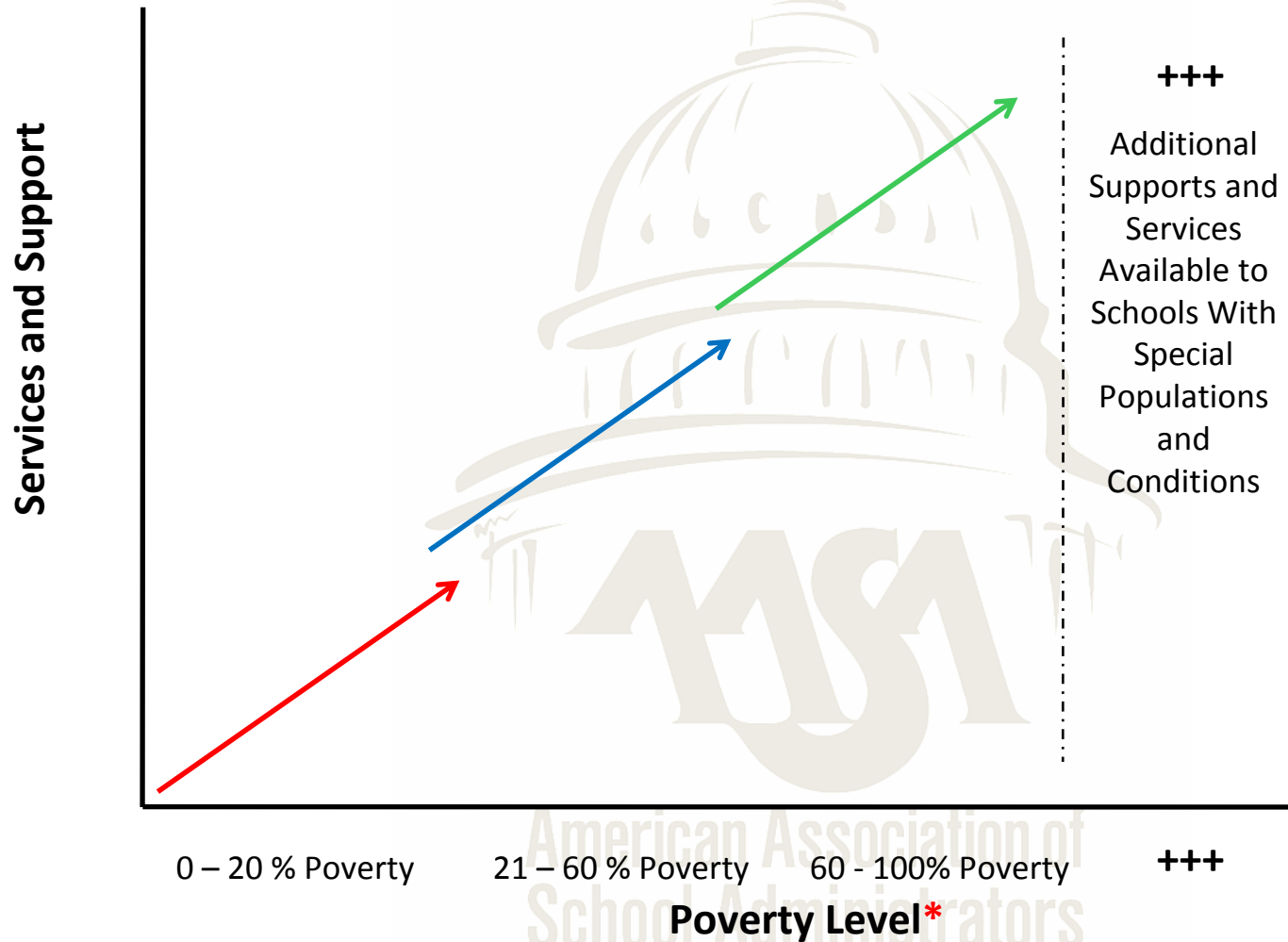
Reframing ESEA

AASA's Proposal: Provide systemic support for low-income and minority students



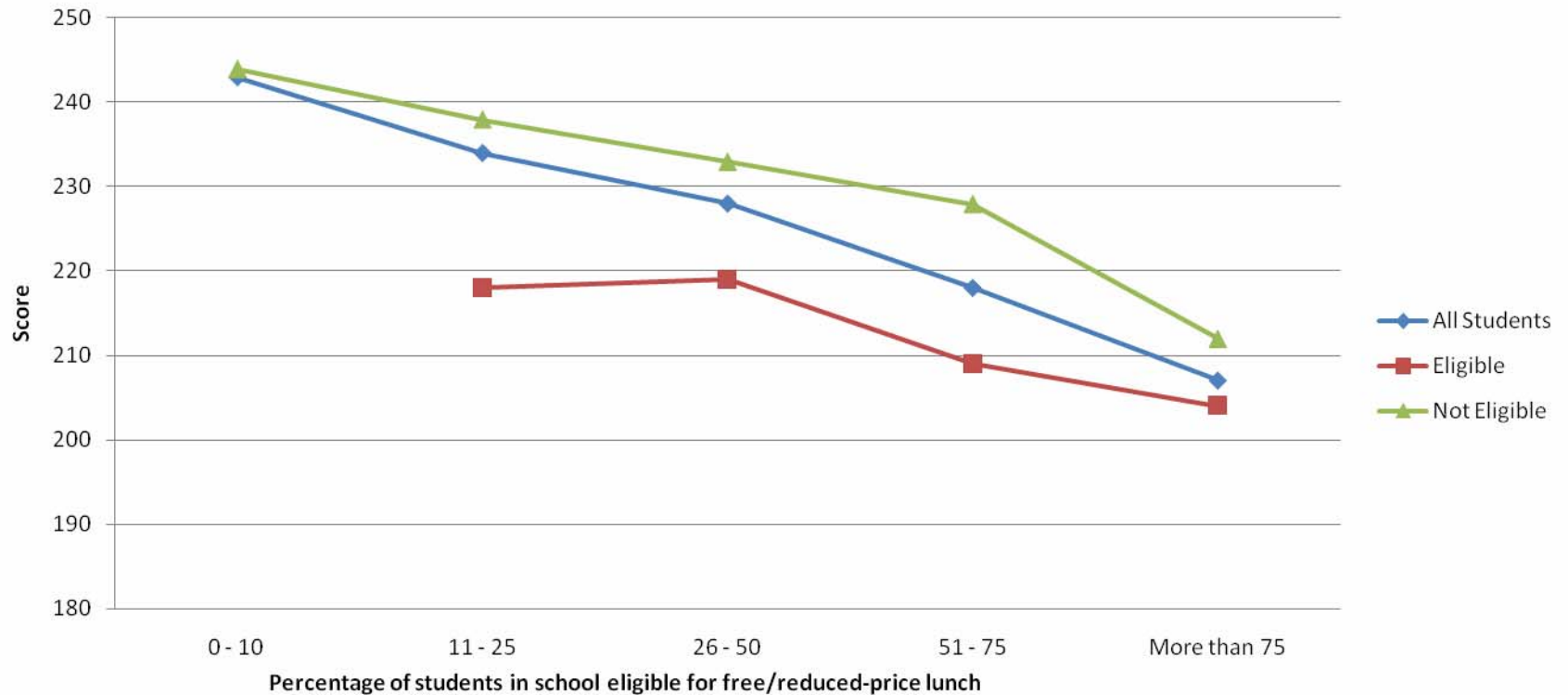
Reframing ESEA

AASA's Proposal: Continuum of Services, Continuum of Need - by poverty level



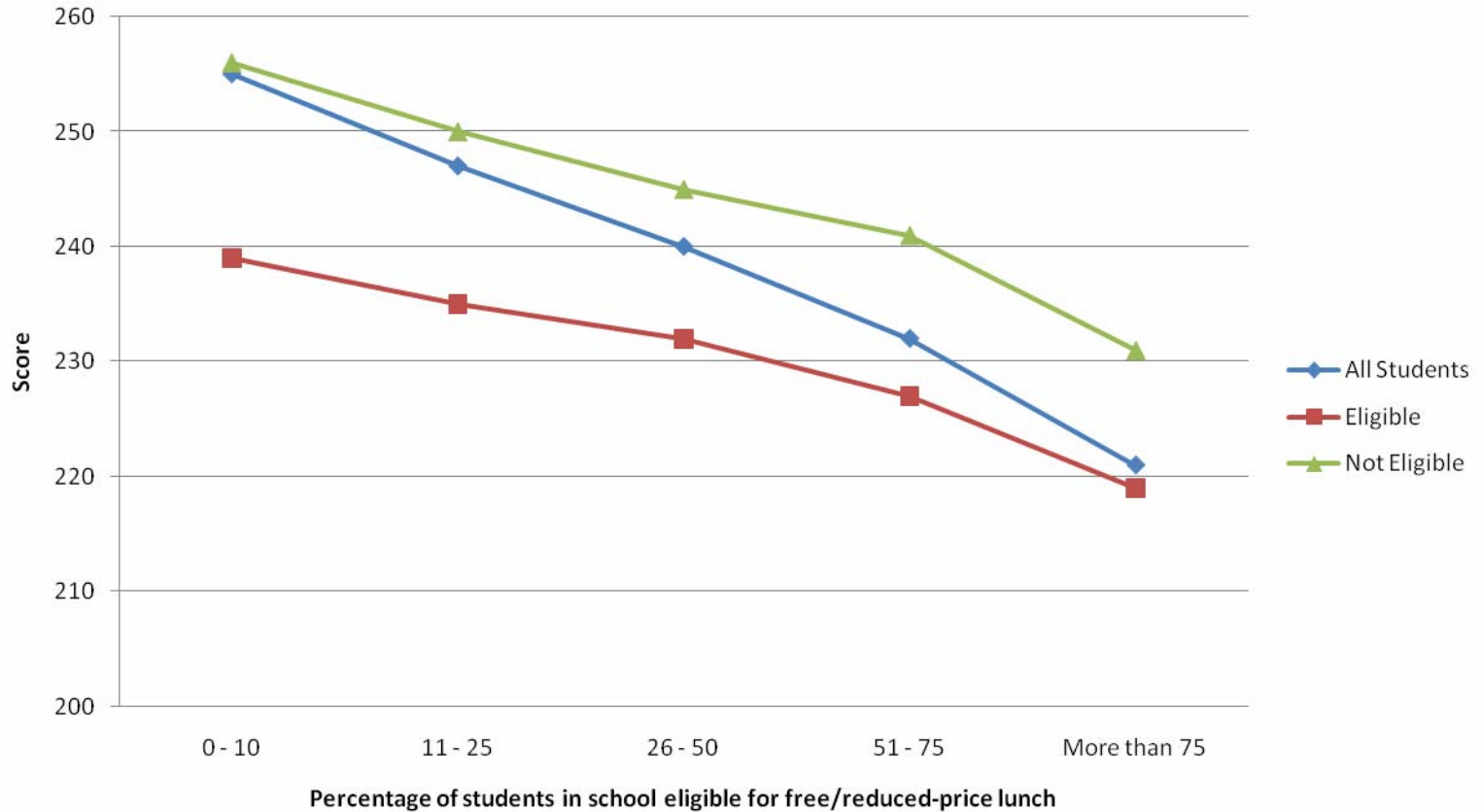
*Example using free/reduced lunch

Data Connecting Poverty and Student Achievement: 2000 Data



Across all student groups, student achievement falls as poverty levels increase.

Data Connecting Poverty and Student Achievement: 2005 Data



Across all student groups, student achievement falls as poverty levels increase.

Reframing ESEA

- **A robust menu of support for high-poverty schools would include:**
 - Nearly all programs in ESEA
 - Physical and mental health care
 - Childcare
 - Early childhood education
 - Full funding for Head Start
 - After-school care, enrichment and recreational programs
 - Home instructional support

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What's New?

- You'll note that the 2009 Legislative Agenda is VERY similar to the 2008 Legislative Agenda. AASA's Executive Committee and Governing Board gave the legislative agenda a complete overhaul in 2008 and felt that many of the positions and policy statements carried over. There are a few notable changes:
 - Child Nutrition: Clarified the position to reflect AASA belief that nutrition policy is best addressed at the local level and AASA opposition to any federal over-reach into nutrition policy.
 - E-Rate: Modifying the E-Rate position to include support for the elimination of the current \$2.25 billion funding cap.
 - Seclusion and Restraint: This is a brand new policy position this year, and it reflects AASA's belief that monitored seclusion and restraints should be used as a last resort but must be an option for staff working with students who are out of control and pose a danger to themselves and others.
 - American Recovery and Reinvestment Act: In light of the large increase of federal funds that will be flowing through America's public schools over the next two school years due to the stimulus, the 2009 Legislative Agenda includes a new AASA position statement in support of the stimulus dollars, clarifying language to prevent states from supplanting state funds with federal funds, and waivers for 'maintenance of effort' and supplement/supplant.

Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

STANDARDS

- High state-developed standards for all children
- Standards include mastery of basic skills and higher-order thinking skills
- Voluntary national standards developed by national professional organizations
- Alignment of standards, curriculum, instruction, assessment and professional development

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Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

ACCOUNTABILITY

- All schools would still be responsible for assessing and disaggregating results similar to current system.
- Calls for clear, accurate measures.
- As federal intervention increases, accountability increases.
- Holds states accountable for appropriate support, monitoring and connecting state and federal programs.
- Holds school systems accountable for student learning.
- Evaluates program effectiveness using multiple sources of evidence.
- Supports interventions focused on building capacity.

Elements of the 2008 AASA Legislative Agenda: “All Children Will Learn”

MEASURING LEARNING

- Uses growth measures -- multiple sources of evidence beginning with level of learning.
- Special education students measured in accordance with the student’s Individualized Education Program (IEP) -- no arbitrary caps.
- English language learners measured in a language they understand by fair, appropriate assessments based on level of proficiency.
- Accountability system transparent and fair to all students.
- Uses disaggregated data to inform parents and the public and to make decisions about teaching and learning.

Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

RESEARCH SUPPORT



- All federal **education** research transparent and widely disseminated to teachers and administrators.
- Research topics chosen to identify best practices for closing the achievement gap and improving the quality of education.
- Need federally-funded research regarding high-quality professional development for all educators.

Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

PROFESSIONAL IMPROVEMENT

- Funds to encourage teachers to work in hard-to-staff schools in urban and rural areas.
- Support enhanced teacher salaries across all school systems, including incentives such as loan forgiveness.



Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

HEALTH AND HUMAN SERVICES

- Federal help for children in their first five years of life
- Federal leadership to help build and support an economic system that sustains families above the poverty level, providing access to quality jobs and acceptable wages
- Federal funding for social intervention before children start school
- Universal health care system that starts with prenatal care and includes school-based, school-linked and community health clinics
- Federal funding and access to mental health care

Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

HEALTH AND HUMAN SERVICES

- Medicaid reimbursements, school-based administrative and transportation claims
- Early childhood education for all children starting at age three
- Full funding for Head Start and alignment of public education and Head Start
- Access to high-quality child care for families in poverty, including the working poor
- Engagement of families in schools and recognition of the vital importance of parents/guardians in the success of each child

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Questions?

E-mail Bruce Hunter

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bhunter@aasa.org

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ECW-2. EDUCATION REFORM

2.1 Preamble

In today's competitive global economy, our kindergarten through twelfth grade (K-12) education system must prepare students to be successful in work, life, and in an ever and rapidly changing world. Governors support the tenets of the No Child Left Behind Act (NCLB) and are working to implement the law, close the achievement gap, and ultimately, improve achievement among all students. Congress should work closely with states to provide the necessary flexibility, while maintaining the principles of the law and holding education to the highest standard, to ensure that NCLB is working for states, school districts, and most importantly, our nation's children. During the past decade, the nation's Governors have been bold and effective leaders in the education reform movement. Under gubernatorial leadership, states have set higher standards for students and followed through with substantially increased funding to support districts and schools in helping students reach those standards. Governors have been at the forefront of the standards-based movement to improve student achievement. However, Governors recognize that much work still remains to achieve America's education goals.

Education is primarily and properly a state responsibility. Governors also recognize the important and supporting role of the federal government in education. The federal government can assist states by providing extra and essential assistance for students most in need, recognizing and assisting teachers, and supporting Governors' leadership authority through NCLB.

In the upcoming reauthorization of NCLB, Governors believe that Congress should reinforce and support sound state education practices, roll-back restrictions on states' ability to align and integrate delivery systems for students, assist and recognize the needs of our nation's teachers, and ultimately, support state efforts to raise student achievement. For this reason, Governors urge Congress to adopt and support the following recommendations to further reform elementary and secondary education.

2.2 The Role of Governors

Elementary and secondary education policy is broadly defined in state constitutions, specified in state statutes, and implemented by school districts. Federal law should support gubernatorial authority and state responsibility for K-12 education. Governors must maintain the authority to oversee the operation of education in their states at all levels. The fragmentation and diffusion of education governance creates competing interests and conflicts at a time when the system needs to move toward collective goals for all students. For this reason, NCLB must recognize and reinforce the leading role of Governors in education. Governors believe it is essential for state education agencies to adhere fully to the consultation requirements of NCLB. The U.S. Secretary of Education should require certification of compliance.

2.3 P-16 Alignment of the Education System

Governors also have taken the lead in recognizing the fundamental state responsibility for a seamless progression from preschool through college (P-16) to lifelong learning. P-16 alignment is critical to ensure that students are prepared for and successful at each step within the education system and prepared for work, postsecondary education, and life. Recognition of this seamless educational continuum is important in fashioning federal education policies. Today's competitive global economies demand that our education systems start at an early age, be available to everyone, and continue for a lifetime. This can best be achieved through a vigorous federal-state-local partnership. Moreover, vigorous

coordination among federal, state, and local education entities is important in fostering P-16 alignment of education laws. Congress should align the requirements, goals, and outcomes of NCLB with other federal education and workforce laws, promoting excellent education and smooth transitions for all students.

2.4 **Accountability**

Key to states' success is the use of accountability systems. Every state has developed new academic standards and assessments that measure progress against those standards. States are using standards and assessments as the foundation to build accountability systems that inform the public about the performance of students across the state and call for specific actions to be taken if a school or school district is not able to help its students do their best. Each state's accountability system is different because it aims to reflect the appropriate role that the state plays in education reform at the local level.

2.4.1 State Accountability Systems. Governors support an education system that focuses on performance, is aligned with the state's standards, and incorporates strong accountability mechanisms. Federal education resources must be accompanied by broad flexibility to ensure that those who work within the education system can be held accountable for their results. Governors strongly support the use of accountability measures, but these measures must be determined at the state level, not the federal level. Maximum flexibility in designing state accountability systems, including testing, is critical to preserve the amalgamation of federal funding, local control of education, and state responsibility for system-wide reform. Governors acknowledge that with this additional flexibility comes an added responsibility for states to develop their accountability systems, including testing, and to satisfy the intent of NCLB.

2.4.2 Assessing Student and School Performance. Governors recognize the critical importance of meaningful annual assessment of students and schools and the need for reliable, disaggregated data to understand student learning as well as the strengths and needs within a school. Governors support the requirement in NCLB to annually assess students in reading and math in grades three through eight, as well as once in high school, and believe that a combination of state and local testing satisfies federal assessment requirements. The U.S. Department of Education should approve a state's assessment plan as being in compliance with any new federal requirements for annual state student assessments if the plan meets the goals of federal accountability policies.

2.4.3 Adequate Yearly Progress. Governors support measuring adequate yearly progress (AYP) for students to provide a clear picture of student performance at the state and local levels, and to diagnose areas of need for all subgroups of students. While refinement of AYP may be necessary to reflect real-world student progress, the tenets of the law to ensure that "no child is left behind" must be fiercely preserved to ensure that all students achieve their potential and that schools are held accountable for student performance.

Governors support the use of voluntary value-added or growth models to determine AYP. Congress should work closely with Governors in the development of legislation dealing with value-added or growth models to ensure maximum state flexibility and utility, while preserving the tenets of NCLB to raise student achievement. All states should be eligible to utilize value-added or growth models.

Limited English Proficient (LEP) students, one of the fastest growing groups of students in the nation, often have difficulties participating in assessments due to language barriers. Congress and the Administration should work with Governors to provide flexibility within AYP to ensure that LEP students are given adequate time to overcome language barriers and make academic gains, and that LEP student gains are accurately reflected within school data.

Congress and the Administration should work to refine AYP to reflect the academic progress of students with disabilities. Governors believe that flexibility on alternate and modified assessments for students with disabilities should be addressed in the law. Additionally, Congress should continue to work with Governors to ensure accountability for the education of students with disabilities while also providing flexibility for and recognition of schools and states making progress.

Congress and the Administration should continue to work with Governors to ensure that states have the flexibility needed to appropriately measure the progress of all students while vigorously working to close the achievement gap among struggling students.

- 2.4.4 Data Collection.** Congress and the Administration should promote, reward, and fund the voluntary use of state P-16 data collection systems. Exemplary state longitudinal data systems that measure student progress will help pinpoint the holes in the education pipeline by improving system-wide accountability and the relationship between teaching and learning, as well as inform resource allocation. Congress and the Administration must align NCLB and other federal education data requirements.

2.5 Teacher Quality

Congress should support state efforts to create a highly qualified teacher workforce. Governors believe that high standards for the teaching profession are central to improving student performance. States are adopting different strategies to improve teacher performance. Some successful strategies include high-quality and relevant professional development activities for teachers; teacher testing and certification based on high standards, such as those developed by the National Board for Professional Teaching Standards; merit or performance pay; teacher academies; alternative routes to certification; and other methods to ensure that teachers in all classrooms have knowledge of both subject matter and teaching methods. Professional development activities should be aligned with the state's content and student performance standards and should be tied to improving student achievement.

Governors support and recognize the importance of having highly qualified teachers in the classroom and are addressing issues of teacher preparation, licensure, induction, professional development, compensation, and advancement. In addition, states are rethinking how postsecondary institutions should prepare and provide ongoing support for school professionals. Through these efforts, states are making progress towards recruiting and retaining highly qualified teachers. While Governors support current state efforts to align teacher preparation and school leader preparation programs, any federalized efforts to link teacher preparation programs with student performance should be opposed by Congress. Instead, Congress should support state or federal strategies to encourage our nation's best teachers to accept the most challenging teaching assignments.

Congress should retain its emphasis on highly qualified teachers in every classroom so that all students may benefit from strong teaching. However, Governors urge Congress to provide and codify flexibility for teachers of multiple subjects in high-need areas, particularly for special education teachers and teachers in rural areas. Flexibility is crucial to ameliorating excessive burdens and teacher shortages due to highly qualified teacher requirements.

2.6 NCLB Rewards, Incentives, and Sanctions

- 2.6.1 Rewards or Incentives.** NCLB should be amended to offer states rewards or incentives for raising student performance and holding schools to high standards. Congress should work closely with Governors to design an incentive or reward system in NCLB. Governors also believe that states should be enabled to reward or incentivize schools and school districts that raise student achievement. States, local districts, and schools that improve should not be penalized by the withdrawal of rewards or incentives when increased student achievement is reached. Federal funds should be available to states for such rewards or incentives, and any federal rewards or incentives program should be funded without a reduction in funding for critical education programs.

- 2.6.2 Supplemental Services and School Choice.** Governors recognize the need to provide assistance to struggling students. Governors urge Congress and the Administration to allow states to raise student achievement by first offering supplemental services before providing school choice. Governors support this logical progression of services for students, with an emphasis on helping students receive high quality services while staying in their school.

2.6.3 School Restructuring and Sanctions. Governors must have the discretion and wide flexibility to intervene in their states to continue to improve education. Governors support, and urge Congress to expand, the current authority granted to states in NCLB to quickly address areas of need in their education systems. Governors urge Congress to expand and reinforce gubernatorial authority in this area as well. Any federal sanctions should provide states with the time, flexibility, technical assistance, and clear authority to resolve problems and assist schools in need of improvement. In addition, Governors urge Congress to provide additional support to states to assist schools in need of improvement, since meaningful school reform requires substantial resources and capacity.

2.7 Funding

The goal of NCLB--that every child will reach proficiency as defined by the state--is supported by the nation's Governors. Governors also believe that the federal government must commit sufficient resources to ensure that states, schools, and students have the means to reach this important goal.

Congress should support full funding for the real costs of achieving proficiency for all children. Congress must make critical and substantial investments in education to support school reform--through enhanced and aligned data systems, meaningful technical assistance, reliable research, ongoing professional development, enhanced student support services, and strong accountability systems--for the achievement gap to close and for every child to succeed. Effectively preparing our nation's students for the 21st century global economy also requires investments in supporting federal education programs to reflect the continuing nature of education. In addition, each and every federal education mandate impacts state and local budgets and is often offset by resources from other state or local programs. Federal policy and funds should focus on supports and incentives for raising student achievement; federal funds should not be withheld from struggling schools or their states, as this would reduce financial resources at a time when additional assistance is necessary.

In moving toward the goal of NCLB, Congress could achieve considerable federal savings by reducing and streamlining the administrative costs and burdens of the law on states.

2.7.1 Targeting to Greatest Need. Governors recognize the link between poverty and low educational achievement. Working in conjunction and in cooperation with the states, the federal government should continue to target Title I funds to schools with the highest concentration of students living in poverty. Such support is essential if the nation is truly committed to the belief that all students can achieve at higher levels. Congress also should support targeted assistance for states working to raise student achievement among struggling subgroups of students.

2.8 Waiver Authority and State Flexibility

As the implementation of NCLB continues, the U.S. Secretary of Education should be granted enhanced waiver authority for unforeseen issues and circumstances that arise from the law.

Governors support the important NCLB provisions on exceptional or uncontrollable circumstances, such as natural disasters, emergencies, or a precipitous decline in the state's economy. Moreover, Governors believe that the U.S. Secretary of Education should be provided greater and broader waiver authority in times of natural disasters or emergencies for states. This waiver authority should include but not be limited to extending or waiving reporting requirements; waiving or modifying fiscal requirements related to maintenance-of-effort; modifying the required and allowable uses of federal funds; waiving any matching requirements for federal funds; expanding federal transferability of funds and carry-over authority for states; extending the length of time for states and schools to obligate federal funds; and adding flexibility for teacher qualifications and adequate yearly progress.

2.9 **Rigorous Curricula**

2.9.1 Science and Math Programs. The nation's Governors recognize that the growing need for highly skilled workers has caused many American companies to look increasingly to other areas of the world. The Governors believe that the United States should accept no less than to ensure that America leads the world in global innovation and remains the world's number one source of researchers, discoverers, inventors, teachers, and health care workers. Therefore, it is essential to inspire young people to pursue science and math in their future education and careers. This can be achieved by implementing real reform policies that emphasize strong educational and research development systems at every level; by implementing rigorous math and science curriculum in our schools; and by featuring strong accountability for both students and teachers.

2.9.2 Technology. Governors recognize that technology is an integral part of daily life in the 21st century, from home to school to the workplace. The use of technology in schools is not only critical in preparing our nation's students for the ever flattening global economy, but it also is an important tool to increase access to education through distance learning.

As technology becomes increasingly woven into every day life and the world marketplace, our nation's students must develop mastery over technology in order to be the premier leaders in the global economy. In addition, schools are safe and nurturing environments for students to receive critical training and practice with computers and technology. Therefore, teachers must be prepared to seamlessly utilize technology to instruct students.

Governors urge Congress to continue investing in critical programs--including, but not limited to, Title V, assistive technology, and E-Rate--that support teacher and student mastery of 21st century skills.

Governors also recognize that distance learning is increasingly important to ensure that barriers to learning are removed and that all students have access to a diversity of learning options and highly qualified teachers, even in remote areas. In addition, distance learning can facilitate meeting the goals of NCLB by removing geographic and physical barriers to education. For these reasons, Governors urge the federal government to support distance learning programs and provide enhanced technical assistance to state departments of education in the development, deployment, and expansion of distance learning programs essential for academic subjects, advanced placement coursework, and technical training.

2.9.3 Literacy Programs. Governors recognize the importance of literacy improvement efforts at all age levels to prepare our nation's students for lifelong learning and work opportunities. Governors applaud federal efforts to help states expand and create multi-generational literacy programs of the highest quality that are based on reliable and replicable research. Governors believe that literacy programs such as Reading First, which provides grants to states to ensure that all students are proficient readers by the third grade, are important components of comprehensive literacy services. Governors support continued funding of student and family literacy initiatives.

2.9.4 Civics Education. Governors support federal initiatives that seek to help states educate a more knowledgeable citizenry. Efforts that focus on improving teachers' knowledge and supporting the state development of model curricula for history, geography, and civics are examples of initiatives that will help schools, school districts, and states better prepare their students for life in a global economy, while allowing states flexibility to meet specific state situations.

2.10 **Other Supporting Elementary and Secondary Programs and Services**

2.10.1 Parental and Guardian Involvement. Parents and guardians have the primary responsibility and right to make decisions about their children's education and must be included in any decisions made on behalf of students. Governors recognize that there are actions parents can take so their children can reach their full potential. States must be allowed to use federal funds to encourage and expand the work of schools through programs designed to support parents as their child's first teacher and to further parents' participation in their children's education while also promoting collaboration with other programs and agencies that support parent involvement.

- 2.10.2 Safe and Drug Free Schools.** The Governors continue to place a high priority on making schools safe and nurturing environments for students. States have used federal Drug-Free Schools and Communities Act funds for diverse prevention efforts. Governors support the specific set-aside to assist Governors in implementing school safety and drug abuse prevention efforts and believe states should be allowed to coordinate related federal funds across state agencies for supporting state and local efforts to create a safe learning environment for all children.
- 2.10.3 Healthy Schools.** The nation's Governors are committed to--and working towards--promoting healthy schools. Governors urge the federal government to support states in these efforts through voluntary child nutrition in school meals and classes; physical activity; and partnerships among schools, families, and the community on school health and wellness initiatives. Governors also support fresh fruit and vegetable programs for school meals. In addition, many states have realigned their human services delivery systems to ensure that young children come to school ready to learn and that these children's health and emotional needs are being met so they can focus on learning. Federal education programs, including opportunities for waivers from existing regulations, should give states the option to coordinate human services delivery systems.
- 2.10.4 Continued Federal Funding for Impact Aid.** The federal government has a unique and historical responsibility to help finance the education of children connected to federal property on which no local property taxes are paid to support education. Any reduction in the federal government's commitment to impact aid would result in an unfunded mandate on states and local school districts.
- 2.10.5 School Construction Bonds.** Governors urge Congress and the Administration to support the Qualified Zone Academy Bond program and to expand its use to new construction so that states may continue to upgrade and modernize educational facilities. The federal government also should ensure that the annual authorized limit on the federal tax credit is sufficient to meet states' needs.
- 2.10.6 Innovative Programs.** Title V, Part A, Innovative Programs of NCLB, is an important program that provides critical, flexible funds to state departments of education and local school districts to help raise and improve student academic achievement. Despite the enhanced flexibility of NCLB, states and local schools continue to rely on this important program to provide and supplement educational services and resources that improve students' academic achievement. Governors urge Congress and the Administration to support and maintain funding for this flexible and important program.
- 2.10.7 National Assessment of Educational Progress.** Governors recognize the importance of the National Assessment of Educational Progress (NAEP) to provide Congress with national data in an independent role. The NAEP results were designed as a national snapshot of student performance, as they were intended. State NAEP results are not comparable with State Assessment Results, since NAEP is not based on or aligned with individual state academic standards. NAEP should not be used as the primary measure of state proficiency or as a substitute for state assessments. Rewards or sanctions should not be levied on a state based on its NAEP results, but should rely on the state's own accountability system. In addition, Governors believe it is important to recognize that NAEP is designed as a representative sample and should not be required of every student; however, NAEP should provide appropriate accommodations for students with disabilities. Given the variety and breadth of high school assessments, Congress and the Administration should closely consult with Governors before mandating a twelfth grade NAEP. The federal government must continue to ensure that all related state and local NAEP assessment expenses are fully reimbursed.

Related Policies

ECW-13, High School Reform to Lifelong Learning: Aligning Secondary and Postsecondary Education

ECW-14, Public Charter Schools

ECW-15, Principles of Federal Preschool-College (P-16) Alignment

EDC-8, State Priorities in Communications

Time limited (effective Winter Meeting 2006–Winter Meeting 2008).

Adopted Annual Meeting 1993; revised Winter Meeting 1994; reaffirmed Winter Meeting 1996; revised Annual Meeting 1996, Annual Meeting 1998, Annual Meeting 1999, Winter Meeting 2001, Winter Meeting 2002, Winter Meeting 2003, and Annual Meeting 2004; reaffirmed Winter Meeting 2005 and Annual Meeting 2005; revised Winter Meeting 2006 (formerly Policy HR-4).

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Forum on Educational Accountability

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May 5, 2010

Dear Chairman Harkin, Ranking Member Enzi, and Members of the Senate Health, Education, Labor and Pensions Committee:

The Forum on Educational Accountability bases its work on the *Joint Organizational Statement on NCLB*, a 2004 document now signed by 152 national education, civil rights, religious, disability, parent, labor and civic organizations, including many of the most prominent such groups in the nation. It represents an extraordinary coming together of people from diverse experiences, views and priorities in a statement demanding a fundamental overhaul of the current incarnation of the Elementary and Secondary Education Act (ESEA), the “No Child Left Behind Act.” The Statement addresses progress measurement, assessment, capacity building, sanctions and funding.

Building on this work, in 2009 FEA released a second sign-on statement, *Empowering Schools and Improving Learning*, which elaborated on the key points in the initial *Joint Statement* and also called for a new federal approach to enhancing equity.

We call on the HELP Committee to use these two documents as well as our more detailed reports and legislative language we drafted in 2007 as its core frame for rewriting ESEA, and we attach them.

We think it is also essential to understand that necessary reform cannot be attained by picking a few items from our proposals to insert into a new law. The critical point is that a new law requires a coherent, positive approach to school improvement. FEA has developed such an approach, and we call on Congress to use it to guide the rewrite of the law. The Administration’s Blueprint is not adequate in that regard, and retains too much of the flawed NCLB.

We also ask the Committee to invite members of the FEA to testify at hearings on the topics on which we focus in this comment.

We thank you for this opportunity to provide comment on the reauthorization of a law that will have powerful consequences, good or bad, for our nation’s children, its educators, and thus on the future of our society. In these comments, we will also respond to the “Blueprint” submitted by the Administration to the Congress. We submit first a summary of our proposed changes (p. 2), and then a more detailed set of recommendations (p. 5).

FEA Recommendations for Improving ESEA/NCLB - Summary

The Forum on Educational Accountability (FEA) has released recommendations for the reauthorization of the Elementary and Secondary Education Act (ESEA, currently “No Child Left Behind” or NCLB). These proposals strengthen public schools, improve learning, enhance equity and empower educators, by improving federal policy in the areas of assessment, accountability, capacity building, and opportunity to learn. The full reform agenda is at <http://www.edaccountability.org/Legislative.html>. FEA carries forward the *Joint Organizational Statement on NLCB*, signed by 152 national organizations.

While FEA supports some components of the Department of Education's "Blueprint," we have serious concerns about several elements, such as continued support of a model that punishes schools and educators for poor test performance, rather than providing supports to help them improve. Our plan, summarized below, ensures schools have the capacity to help all children achieve success.

On assessment:

- Require states to use multiple sources of evidence of various types (“multiple measures”) in evaluating schools.
- Support development of improved assessments, such as performance tasks and projects, which states can make available to educators and incorporate into large-scale assessments.
- Support development of state and local assessment systems that include classroom-based evidence as part of public reporting and accountability and for improving teaching and learning.
- Support use of growth and improvement approaches, provided they incorporate multiple measures.
- Ensure new assessments consider the needs of diverse learners, including use of the principles of universal design for learning.
- Reduce the amount of mandated testing, e.g., returning to requirements in the 1994 federal law (once each in elementary, middle and high schools), thus aligning the U.S. with the practices of most nations which find fewer but better assessments produce superior results.

FEA believes the Blueprint and Education Department guidelines for assessment consortia continue an overuse of testing, are weak on multiple measures, do not allow the use of local

evidence for accountability, and are unclear as to whether growth measures must incorporate multiple measures. However, they do acknowledge some value of performance items and universal design principles.

On accountability:

- Eliminate “adequate yearly progress” (AYP) requirements and sanctions, while retaining the reporting of data disaggregated by demographic group, as endorsed in the Blueprint.
- Avoid tying the goal of ensuring all students are on track to be college and workforce ready to an arbitrary and impossible 2020 deadline. Expect demonstration of reasonably attainable rates of improvement (e.g., those now achieved by schools in the top quarter on improvement rates).
- In evaluating and recommending interventions in and changes to schools or districts, use both multiple sources of evidence - comprehensive indicators - and reviews of schools and districts by qualified state teams.
- Allow a broad range of “turnaround” options, rather than the narrow menu established in NCLB, Race to the Top, School Improvement Grants, and the Blueprint. Use indicators and reviews to tailor change actions to schools’ needs. Build improvement plans from elements demonstrated to be essential to school improvement, e.g., collaborative professional development, strong leadership, parent involvement, and rich and challenging curriculum.
- Establish the principle of holding schools and districts accountable through monitoring and public reporting to ensure consistent and successful efforts to fulfill improvement plans.
- Develop a formula linking the number of schools required to engage in change activities to federal appropriation levels, rather than adopt the Blueprint provision setting specified percentages of schools subject to turnaround regardless of funding.
- Assist states and districts to develop and implement sound and fair educator evaluation policies aimed primarily at improvement, rather than the Blueprint model, which largely shifts test-based accountability from schools to educators. Good evaluation programs should include evidence of student learning, but scores from large-scale tests would play only a small part.

On public school improvement/capacity building:

- As part of high-quality professional learning, require all Title I-funded schools to provide time for staff collaboration. Strengthen educators' capacity to work with diverse learners and parents and to assess all students well. Use funds saved by eliminating mandated tutoring and transfers, as the Blueprint proposes, for professional development.
- Strengthen parent involvement and support for parents to assist in their child's learning, critical factors almost entirely absent from the Blueprint.
- Require teacher preparation programs under Title II to include one-year intensive clinical placements, as in current law under the Teacher Quality Grant Program in Title II of the Higher Education.

On opportunity to learn and equity:

- Significantly increase federal funding by making Title I and IDEA Part B mandatory federal budget items, fully funded at authorized levels. Use formulas ensuring all public schools serving needy children obtain significant support. Significantly increase support for professional development, the education of English learners, school improvement, parental involvement, and the capacity of states to assist districts and schools. Avoid the overuse of competitive grants, as proposed in the Administration's FY2011 budget, which would reduce real-dollar funding for school programs.
- Require states, with federal funding, to develop comprehensive indicator systems on the distribution within and across districts of resources important to schooling. Compile data on out-of-school indicators such as health care, unemployment and student/family mobility rates. Require states to consider this evidence in school evaluations, and to develop strategies for providing resources to overcome inequities identified by the indicators. The Blueprint acknowledges these concerns; however, its recommendations must be strengthened.

[More details on these recommendations follow, starting on page 5.]

FEA recommendations for ESEA reauthorization, with comments on the Department of Education’s “Blueprint”

In practice, NCLB has been a law that made demands that are impossible to attain, at least based on the resources made available, judged the results on an unreasonably narrow basis (scores on standardized tests), and imposed sanctions that lacked any evidence they would actually improve schools. The results include:

- one-third of schools already failing to make “adequate yearly progress”;
- slowing or stagnant rates of improvement on the National Assessment of Educational Progress (NAEP) and a failure to reduce score gaps;
- narrowing curriculum and intensive teaching to the test that undermines the quality of teaching and learning and inhibits both the education of the whole child and necessary improvements in school;
- worsening school climate and intensified harmful disciplinary processes, including an increase in expulsions, that leave many students worse off and are applied disproportionately to the very students NCLB is supposed to most help; and
- a climate of attacks on educators, blaming them for failing to overcome grievous social inequalities that the federal government itself has failed to address.

More recently, Secretary Duncan and the Department of Education, particularly in the Race to the Top program, have imposed new requirements that intensify the failings of NCLB and are no more rooted in evidence than was NCLB itself. These include:

- The mandated actions districts and states must apply to their lowest-scoring schools. Of these, only the ‘transformation’ model has any evidence it can succeed, and it is still too rigid and then available to only half the targeted schools in our large districts.
- The requirement to evaluate teachers in significant part on the very tests Sec. Duncan recognizes are inadequate and need replacing, coupled with a push to establish payment to teachers for boosting test scores. There is no evidence this misuse of test scores will improve learning outcomes, but significant evidence it will harm schools.
- The Blueprint from the Administration runs the risk that using test scores in reading and math to identify schools for the bottom 5, 10 or 15 percent will continue the pressure to reduce these schools to test preparation factories to avoid inclusion in these categories.

These and related components of NCLB and RTTT must be repudiated. Indeed, they represent an over-reaching on the part of the Department that goes well beyond the authorized authority in either ESEA or the ARRA. A new law needs to start from different premises and include different components, as outlined in the *Joint Statement* and *Empowering Schools*.

That said, the federal government has vital roles in improving the quality of education and gaining real equity for all students.

Based on ongoing work growing from the *Joint Statement* and other papers the alliance has released over the past six years, FEA has established four priorities for the reauthorization of ESEA:

- Assessment
- Accountability
- School Improvement/Capacity Building
- Opportunity to Learn and Equity

FEA therefore makes the following recommendations to Congress, which include responses to the Administration's Blueprint as they relate to FEA's key areas of concern.

On assessment, the federal government should follow the general recommendations of FEA's Expert Panel on Assessment (attached) which provides valuable detail on developing a comprehensive assessment system. The new law should:

- require states to use multiple sources of evidence of various types ("multiple measures") for the evaluation of their schools under Title I;
- support the development of improved assessments, such as performance tasks and projects, that states can gather in electronic libraries and make available to educators for their use, as well as use some of them in on-demand assessments;
- support the development of systems of state and local assessments that can include classroom-based evidence as part of public reporting and accountability as well as for teaching and learning;
- support the use of growth and improvement assessment approaches, provided they incorporate the use of multiple measures;
- support the provision of extensive professional development opportunities for teachers to learn to develop and use assessments *for, as* and *of* learning, including the ability to identify students' strengths and weaknesses and address their learning needs ("formative")

assessments), but do not foster the growing use of low-quality, commercial products being sold as ‘formative’ or ‘benchmark’ assessments;

- ensure that new assessments and professional development take into account the needs of diverse learners, so that assessment development employs tools such as universal design for learning, consideration of possible accommodations are addressed during assessment design, and professional learning prepares teachers to succeed with the full range of our nation’s students; and
- reduce the amount of mandated testing, such as to the amount required by the 1994 ESEA (once each in elementary, middle and high schools). This would bring the US into agreement with the practices of most nations, including those with substantially better educational outcomes than the US. Over-testing is a failed policy.

Unfortunately, the Department’s *Blueprint* and its Guidelines for applications from assessment consortia continues to require the overuse and misuse of tests. They do not support the development of combined state and local assessment systems rather than merely new standardized tests. Their stated support for better assessments also fails to make sufficiently clear this means strong reliance on performance assessments. Support for growth measures unfortunately seems to reduce such measures to a second way to use the same standardized test results, rather than rely on multiple measures. Similarly, the Department fails to address the proper use of formative assessments or seek to inhibit misuses of mini-tests that are mislabeled as “formative.” It clearly is interested in improved professional development, but did not make clear this should include teachers working together to improve assessment practices. Its stated and welcome interest in improved assessments for diverse learners must expand to supporting such approaches in more comprehensive assessment reform.

Finally, the Department’s efforts to force states to evaluate teachers, principals or other staff “in significant part” based on student test scores is a serious misuse of standardized testing. Its foreseeable consequences include more intensive teaching to the test, increased teacher anger and departure from difficult teaching situations, and a doubling of the amount of testing such as fall and spring testing in order to judge individual teachers.

On accountability, the federal government should adopt the FEA approach toward balanced accountability. This would include:

- eliminating AYP and the consequent sanctions, replacing them with other approaches to defining educational goals, evaluating progress in school improvement, and helping schools improve. These can include such things as:

- reporting whether each school has attained at least a rate of improvement (on comprehensive evaluations) similar to what solidly improving schools now attain (e.g., schools at the 75th percentile in a ranking of rate of improvement);
- supporting states to develop comprehensive indicators of schools and districts ('report card') -- including inputs/available resources within and outside of schools, climate and processes, learning outcomes, and improvement efforts -- and to organize such indicators in ways that facilitate improvement efforts; and
- helping states to develop school quality reviews/inspectorates, through which expert teams provide periodic evaluations of schools and make recommendations for improvement;
- establishing the principle of holding schools accountable through public reporting for reasonable and consistent efforts to improve. This can be done in significant part by requiring states to establish means of evaluating school progress and to use reports on such efforts, as well as the 'report card' and 'inspectorate' (where undertaken), to enhance public awareness of such efforts;
- revising the RTTT and "School Improvement Grant" requirements now applied to the lowest-scoring schools so that:
 - an additional model in which districts and schools would propose comprehensive reforms that address reasonable criteria (see below), are flexibly tailored to local needs, and are approved by the state;
 - the "transformation" model is allowed for all schools in every district, while made more flexible and addresses the criteria noted in the bullet above, which criteria should apply to all turnaround models;
 - criteria all turnaround proposals must address would include collaborative professional development, strong leadership, parent involvement, rich and challenging curriculum, indicators of success in addition to assessment results, and how improvement efforts will be evaluated. Some of which are elaborated as "systemic changes" in FEA's attached report, *Redefining Accountability*, pp. 6-7, #1-6 and p. 12, #1-4,); and
 - states and districts would develop and implement sound and fair educator evaluation policies and programs that are aimed primarily at helping educators improve, which would include evidence of student learning but in which scores from large-scale tests would play a very small part.

The Department's Blueprint makes an important step forward by essentially ending AYP for at least 80% of the nation's schools, and ending the requirement that 20% of Title I funds be spent for tutoring and transfers. That money could instead to be spent to implement other school improvement strategies.

We remain concerned that the Blueprint requires the four flawed improvement procedures mandated in RTTT and in School Improvement Grants for the lowest-performing 5% of schools (see attached FEA comments on RTTT and SIG draft guidelines). We object to the "transformation" and "turnaround" models' requirements for the automatic removal of principals without regard to whether they have ever been evaluated well or given assistance, whether they have been in their positions for a long enough time to hold them responsible, such as two to three years, and whether well qualified replacements are available. We also object to the "turnaround" model's requirement to replace at least 50% of staff, without any determinations as to the performance or capacity of the individual staff members to be removed and the availability of qualified replacements.

As to the second lowest-performing 5% category of schools in the Blueprint, it is unclear what is meant by mandating use of "research-based, locally determined strategies to help them improve." In the reauthorization, these schools should be required to concentrate on implementing core strategic improvement strategies, including the criteria noted above and strategies developed in *Redefining Accountability* regarding professional development, parent involvement, and support for families. As to the third category, the "achievement gap" schools, we are concerned that the proposed interventions may focus solely on supporting the individual students who are "farthest behind" and might result merely in tutoring or test preparation programs to boost test scores of individual students, rather than dramatically improving the schools' general expectations, beliefs and practices necessary to provide these students an effective education.

As noted above, we also strongly oppose requirements that student standardized test scores be "significant" factors in evaluating teachers, principals or other staff. Far more useful would be federal support for states, districts and schools to develop high quality evaluation procedures, of which student learning can be a part, but scores on standardized tests a very small portion. Any potential sanctions need to be preceded not only by implementation of sound evaluations, but also by appropriate mentoring, peer collaboration and professional development.

We appreciate the Department's inclusion of the concept of school quality reviews. However the vague language makes it unclear what purposes the Department sees for such reviews. And while the Department is willing to allow states to use more data than test scores, far too often it falls back on those test scores as the near-sole evaluation factor in its various program and competitive grant proposals.

- In addition, we are concerned that demands will be placed on schools that are not supported with adequate funds to make necessary improvements. Based on RTTT language on the costs of turning schools around, it would seem that at least \$3 billion/per year must be available to support 5000 schools, of which 1000 or more would be high schools. If schools are required to implement a turnaround model, the funding in the amounts the Department has determined are needed must be available. Thus, the percentage and numbers of identified schools should not exceed the funds actually appropriated to support their transformations; an appropriate formula to accomplish this should be devised.

On public school improvement/capacity building, the federal government should, in addition to the steps above:

- require that all Title I-funded schools provide time for staff discussion and collaboration, including during the school day where feasible, thereby helping to develop strong cultures of collaboration and cooperation, creating communities of learners among staff and strengthening educators' capacity to work with diverse learners and parents and to assess all students well.
- require high-quality professional learning in all Title I schools, so that professional learning is guided first of all by the needs educators themselves establish, as outlined in FEA's report (*Redefining Accountability*, p. 6, I.1.). An amount equal to 20% of Title I should be provided for this purpose. In addition, the new law should support teacher recruitment and teacher preparation programs that address the underrepresentation of qualified minority teachers in our nation's schools.
- require an amount equal to 5% of Title I funds be divided equally between school programs to strengthen parent involvement in all Title I-funded schools and programs to provide parenting skills and adult literacy to enable parents to better assist their child's learning plus adult mentoring programs for children without families available to provide such support (*Redefining Accountability*, pp. 11, 12, #1., 2., 3.);
- increase and enhance specialized instructional support personnel/services (currently known as "pupil services") to address barriers to student success through direct services to students and supports to teachers and administrators; and.
- provide states with an amount equal to 2% of Title I funds to strengthen their ability to provide support for improvement and capacity building to their districts and schools.

- Require teacher preparation programs under Title II to include one-year intensive clinical placements, as in current law under the Teacher Quality Grant Program in Title II of the Higher Education.

On these points, the Department says some good things, but they tend to be far too general or too weak, such as on professional collaboration and on ensuring that professional learning is significantly guided by the needs educators define for their schools and districts. If the Blueprint's proposal to end the mandate to use 20% of Title I funds for transportation and supplemental services becomes law, some or all of those funds could be directed to professional development. The Blueprint essentially fails to mention parents, whose involvement in school improvement is essential. It also would apparently have pupil services brought in or performed by "community organizations," potentially jeopardizing important services performed by school-trained, school-employed professionals.

On opportunity to learn and equity, the federal government should:

- Significantly increase federal funding by making Title I and IDEA Part B mandatory federal budget items, fully funded at authorized levels. Use formulas ensuring all public schools serving needy children obtain significant support. Significantly increase ESEA support for professional development, the education of English learners, school improvement, parental involvement, and the capacity of states to assist districts and schools. Make this funding formula driven, avoiding the overuse of competitive grants, as proposed in the Administration's FY2011 budget, which would reduce real-dollar funding for school programs.
- Require states, with federal funding, to develop comprehensive indicator systems on the distribution within and across districts of resources important to schooling. Compile data on out-of-school indicators such as health care, unemployment and student/family mobility rates. Require states to consider this evidence in school evaluations, and to develop strategies for providing resources to overcome inequities identified by the indicators.

We appreciate that the Department has adopted language very similar to FEA's call for states to gather opportunity to learn data and develop plans to ensure equity and adequacy. However, it is phrased as a request and there are no enforcement provisions. Further, the language in the Blueprint remains too vague and should include the kinds of data called for in *Empowering Schools*, sec. 9, "Comprehensive indicator system" (attached).

Conclusion

The two Statements, supported by the two attached FEA reports, our comments on RTTT and SIG, and legislative language FEA wrote several years ago (also attached) provide many of the details the committee needs to write legislation that can establish a strong, supportive role for the federal government in school improvement efforts, but one that would not encourage the federal government to overreach and micromanage. Many organizations that signed our Statements have also developed related, valuable materials, as have other alliances, such as Rethink Learning Now and the Broader, Bolder Approach.

In sum, the FEA approach will end the test and punish cycles established by NCLB that made the law, in the words of House Education Committee Chairman George Miller, possibly “the most tainted brand in America.” The FEA approach counters the intensification of NCLB’s flaws in some components of RTTT that are carried over to the Blueprint. The FEA approach outlines a federal role that can greatly strengthen equity, provide strong and educationally beneficial accountability, and put tools such as assessment and professional learning in the service of ensuring that every school provides a strong learning environment for each and every child.

We thank you for your attention and welcome the opportunity to provide invited testimony and to talk with you and your staff about the ideas developed in this letter.

A handwritten signature in black ink, appearing to read "Monty Neill". The signature is fluid and cursive, with the first name "Monty" being larger and more prominent than the last name "Neill".

Monty Neill, Chair
monty@fairtest.org; 857-350-8207 x 101

Note: The Forum on Educational Accountability includes some of the organizations that have signed the *Joint Organizational Statement on No Child Left Behind*. Signers agree to the goals of the *Joint Statement* and seek to implement its recommendations. Additional statements made by FEA reflect this commitment and are reviewed by Joint Statement signers, but may not reflect all individual positions taken by signatories.

Attachments

- *Joint Organizational Statement on No Child Left Behind*
- *Empowering Schools and Improving Learning*
- *Redefining Accountability: Improving Student Learning by Building Capacity*
- *Assessment and Accountability for Improving Schools and Learning*

- Comments submitted to the U.S. Department of Education in response to Race to the Top draft guidelines
- Comments submitted to the U.S. Department of Education in response to School Improvement Grant draft guidelines
- Legislative language for changing significant portions of NCLB in accordance with FEA recommendations as of March 2007.

Forum on Educational Accountability

<http://www.edaccountability.org>

2011 Recommendations for Improving ESEA/NCLB- Summary

The Forum on Educational Accountability (FEA) has released recommendations for the reauthorization of the Elementary and Secondary Education Act (ESEA, currently “No Child Left Behind” or NCLB). These will strengthen public schools, improve learning, enhance equity and empower educators by improving federal policy in the areas of assessment, accountability, capacity building, and opportunity to learn. Our more detailed agenda is at <http://www.edaccountability.org/Legislative.html>. Our alliance carries forward the *Joint Organizational Statement on NLCB*, signed by 153 national organizations.¹

Our plan, summarized below, ensures that schools have the capacity to help all children achieve success while outlining a reasonable federal role in educational policy instead of federal mandates that are too often overly prescriptive and fail to help schools reach desired educational and societal goals.

On assessment:

- Reduce the amount of mandated testing (e.g., return to requirements in the 1994 federal law of once each in elementary, middle and high schools), thus aligning the U.S. with the practices of most nations in which fewer but better assessments produce superior results.
- Support development of state and local assessment systems that include classroom-based evidence as part of public reporting and accountability, and for improving teaching and learning.
- Support development of improved assessments and assessment elements, such as performance tasks and projects, which states can make available to educators to use when appropriate and incorporate into large-scale assessments.
- Require states to use multiple sources of evidence of various types (“multiple measures”) in evaluating students, schools and educators, and in constructing any growth/improvement/value-added approaches.
- Ensure that new assessments consider the needs of diverse learners, including use of the principles of universal design for learning.

We urge stakeholders to ensure that the Education Department-funded assessment consortia end the overuse of standardized testing, incorporate multiple measures and local evidence of student learning, and clarify that growth measures must be multiple. We encourage the consortia to continue current efforts to infuse assessments systems with performance tasks and universal design principles.

On accountability:

- Eliminate “adequate yearly progress” (AYP) requirements and sanctions, but continue reporting important data disaggregated by demographic group. Avoid tying goal of ensuring all students are on track to be college and workforce ready to any arbitrary deadline. Expect demonstration of reasonably attainable rates of improvement (e.g., those now achieved by schools in the top quarter on improvement rates).
- In evaluating and recommending interventions in and changes to schools or districts, use both multiple sources of evidence (comprehensive indicators) and periodic reviews of schools and districts by qualified state teams.
- Allow a broad, flexible range of “turnaround” options. Use indicators and reviews to tailor change actions to schools’ needs. Build improvement plans from elements demonstrated to be essential

to school improvement--e.g., collaborative professional development, strong leadership, parent involvement, and rich and challenging curriculum--and allow schools and districts to determine how they will address these areas to help build their capacity for long-term improvement.

- Establish the principle of holding schools and districts accountable through monitoring and appropriate public reporting to ensure consistent, successful efforts to fulfill improvement plans.
- Set the percentage of schools required to engage in turnaround activities based on standards for intervention and federal appropriation levels, rather than set percentages regardless of funding.
- Assist states and districts in developing and implementing sound and fair schoolwide evaluation policies aimed at schoolwide improvement, rather than the Blueprint model, which largely shifts test-based accountability from schools to educators. Educator evaluation programs should include evidence of student learning and other measures of educator competency, but the federal government should not mandate the inclusion of scores from large-scale tests.

On public school improvement/capacity building:

- Require Title I funded schools to provide staff collaboration time and serve staff-identified professional development needs, including assessment and working with diverse learners. Require those with highest poverty and lowest achievement also to provide: individualized mentoring for beginning and experienced teachers; career ladders for mentor and other teacher support specialists; and intensive staff training in instructional leadership and family engagement. Allocate amount equal to 20% Title I funding, plus comparable States' match, to such staff development.
- Require that all Title I-funded schools provide programs to strengthen parent involvement in schools. Require all Title I-funded highest poverty and lowest achievement schools to provide parenting skills and adult literacy programs to support their children's learning at home, and adult mentoring for children without families available. Allocate amount equal to 5% new Title I funding.
- Provide Title I funding to assist states to strengthen ability to support systemic school improvements. Allocate sum equal to 2% of Title I. Enhance provision of specialized instructional support personnel/services directly to students, teachers and administrators. Condition teacher preparation grants on programs' providing one-year intensive clinical placements.

On opportunity to learn and equity:

- Make Title I and IDEA Part B mandatory, fully funded federal budget items. Use formulas ensuring that all high-poverty public schools receive significant funding support. Significantly increase support for professional development, the education of English learners, school improvement, parental involvement, and the capacity of states to assist districts and schools. Avoid use of competitive grants, which reduce equity and real-dollar funding for necessary programs and privilege districts with greater grant-writing capacity.
- Require states, with federal support, to develop comprehensive indicator systems on the distribution within and across districts of resources important to schooling. Compile data on out-of-school indicators such as poverty, health care, unemployment and student/family mobility rates. Require states to consider this evidence in evaluating student outcomes and schools, and to develop strategies for providing resources to overcome inequities identified by the indicators.
- Provide increased access to opportunity through early learning and high quality preschool; work with the states to ensure adequate school facilities, tools, and services; and promote school discipline policies that ensure a school climate conducive to learning.

ⁱ FEA is an alliance furthering the concepts found in the *Joint Organizational Statement on NCLB*, signed by 153 national education, civil rights, religious, disability, parent and civic organizations. This document may not reflect all individual positions taken by signatories to the *Joint Statement*. Additional relevant materials are at www.edaccountability.org.



February 1, 2011

The Honorable Tom Harkin
Chairman
Health, Education, Labor & Pensions Committee
United States Senate
Washington, D.C. 20510

The Honorable Michael B. Enzi
Ranking Member
Health, Education, Labor & Pensions Committee
United States Senate
Washington, D.C. 20510

Dear Chairman Harkin and Ranking Member Enzi:

At our recent Annual Policy Forum, Chief State School Officers from across the nation discussed our collective education policy priorities, particularly with regard to pending reauthorization of the Elementary and Secondary Education Act (ESEA) and what needs to be done to reinvent ESEA and address several shortcomings in the present No Child Left Behind Act (NCLB). We welcome the President's State of the Union call for Congress to reauthorize ESEA in a manner that supports state-led reform, and we look forward to working with the Congress to craft such a law. We see this as an important moment that presents real opportunities for progress.

I am writing on behalf of the Council of Chief State School Officers (CCSSO) – representing the education leaders from all 50 states, the District of Columbia, six territories, the Bureau of Indian Affairs, and the Department of Defense Education Activity - to communicate three core points:

1. **Chiefs remain committed to leading education reforms**, as demonstrated by the state-led development and adoption of college- and career-ready standards, current development of dramatically improved assessments aligned with those standards, etc.;
2. **Chiefs call on Congress and the Administration to focus on a bipartisan effort to re-envision and reauthorize ESEA in 2011** to support these state reforms and innovations, consistent with CCSSO's ESEA Policy Statement; and
3. If, despite all efforts, ESEA reauthorization is delayed, **chiefs intend to exercise the authority expressly granted by Congress to states in NCLB to develop and propose new, innovative policy models in terms of accountability and other areas** that move beyond NCLB, and we urge the Administration and Congress to encourage and support this strategy – so that



current law does not become a further barrier to innovation and achievement.

This letter elaborates on each of the three points. I look forward to joining with the chiefs to discuss these points further with you.

I. States Intend to Lead Education Reform

As you are well aware, there are important education reforms occurring in states across the country, anchored in the belief that our education policies and systems must be designed to ensure that all students graduate from high school ready for college and career. States vary in their strategies and pace in advancing this agenda, but the direction is clear. This is evidenced by myriad state-led reforms initiated over the last several years, often despite NCLB requirements, including:

- The development and adoption of **college- and career-ready, internationally benchmarked standards**, including the Common Core State Standards in reading/language arts and math that have been adopted by 45 states and territories;
- The ongoing development of **robust, internationally benchmarked, assessments** aligned to rigorous standards, including through the two national assessment consortia (PARCC and SMARTER Balanced) that are developing common assessments across more than 40 member states;
- The design and implementation of individual student identifier, **longitudinal data systems** that track the progress of students over time, which are now largely in place across the states, as well as the recent release of **common data definitions**;
- The establishment and adoption of **accurate, common graduation rates** across the states;
- The design and implementation of **growth models** for accountability, which focus schools on ensuring that students meet the goal of college- and career-readiness; and
- The development of improved **standards for teacher and principal effectiveness**, and **teacher and principal evaluation systems** focused on student achievement.

States are committed to leading a bold and balanced agenda. States are raising the bar for our education systems, in a manner that supports districts, schools, and educators in achieving our education goals. Important federal initiatives have complemented state efforts and stimulated the pace of state reform and leadership. Even in the face of outdated federal requirements and significant state budget shortfalls, states remain committed to leading the reform agenda.



Federal law – in terms of ESEA reauthorization as well as NCLB implementation – must support this state leadership and innovation, and not remain a barrier or seek to codify a single “right” answer for national education reform.

2. ESEA Reauthorization Must be a Top Bipartisan Priority

In this spirit, we call on Congress and the Administration to make ESEA reauthorization the top priority for 2011.

Some observers have expressed concern that Congress may not complete the work of ESEA reauthorization in 2011. ESEA reauthorization is an opportunity for collaboration in a policy area that is too often overlooked among competing priorities and yet is most essential to the long-term success of our economy and democracy.

The CCSSO ESEA Policy Statement, released by the chiefs in 2007 and revised in 2010, provides a roadmap for reauthorization and concrete recommendations that are inherently bipartisan – based on a simple but profound shift in the state-federal partnership:

This policy statement presents a vision...to guide reauthorization of the Elementary & Secondary Education Act (ESEA). First, states must continue to lead the way with bold, thoughtful education reforms to ensure that all students graduate from high school ready for college and career. This includes developing and adopting higher, clearer, and fewer standards; improving state assessment systems; ensuring transparent, disaggregated accountability; building educationally rich data systems; strengthening teacher and leader effectiveness; and turning around underperforming schools.

In return and to succeed, we need a new federal education law that invests in these state efforts and encourages innovation, evaluation, and continuous improvement—so that states can develop and implement policies to help districts and schools dramatically improve student achievement and close achievement gaps.

Chiefs hope for more than just small changes to current NCLB requirements. We hope for a fundamental shift in federal law that raises the bar on education *goals* but returns power and judgment to states and districts with regard to the *means* of achieving those goals. We hope for a new form of ESEA that expects and promotes innovation, evaluation, and continuous improvement in state policies.

States are eager to work with Congress and the Administration to reauthorize ESEA to reflect the important principles included in CCSSO's ESEA Reauthorization Policy Statement. For example:

- Require states to establish next generation accountability systems that meet certain core principles (e.g., aligned to college and career readiness, focus on student achievement, annual assessments, disaggregated results), but give them the flexibility to design the systems to address their unique state contexts;
- Require states to set professional educator standards and establish meaningful teacher and principal evaluation systems based on multiple measures that include returns on student achievement, but leave states and districts the flexibility to design those evaluation systems and define their use;
- Provide states with meaningful flexibility to consolidate programs and funding within ESEA and across other federal laws with a particular focus on breaking down barriers and better integrating across early learning, K-12, and higher education;
- Build state capacity by supporting state education agencies' leadership to implement the core foundations of standards-based reform and build high performing systems necessary to meet college and career ready standards.

At this crucial moment, inaction or a piecemeal approach to updating the law could exacerbate the problems currently hampering meaningful reform and delay efforts to dramatically improve systems to advance student achievement. We must get this right and get it done.

3. In Anticipation or Absence of ESEA Reauthorization, States will Present Innovative Reform Models under Section 9401

Our main goal for federal policy in 2011 is to support Congress and the Administration in reauthorizing ESEA to create a new state-federal partnership for reform consistent with the principles outlined above. That is job #1.

If reauthorization is delayed, we intend to exercise authority expressly granted by Congress to *states* under Section 9401 of NCLB providing that *states* may propose innovative policy models that move beyond the requirements of NCLB. This is particularly important with regard to development of new state accountability systems and the outdated requirements of NCLB that could hamper reform.

We believe this authority in NCLB does *not* allow states or the federal government to “get out” of core requirements. Rather, it says that if states have models of education reform that are more educationally sound, consistent with state and local

judgment, and can better advance student achievement, then states may propose and the Secretary may approve those models.

We understand some parties have called on the Department to make discrete changes to the way that NCLB is implemented. While we agree with many of the specific changes suggested by these organizations, we believe discrete “fixes” will not create the new atmosphere needed to enable state and local reforms to meet their full potential. Instead of this technical approach, we propose a new strategy designed to maximize innovation through state proposed models subject to peer review and secretarial approval.

States are committed to leading a balanced and bold reform agenda. To support states in these efforts, CCSSO is leading a Task Force of chiefs in developing a roadmap for states and the nation in terms of *next-generation accountability systems*. The report of this Task Force will be out shortly and will provide clear principles to guide state leadership in accountability, as well as recommendations for federal law. The purpose is to develop accountability systems that are more valid and educationally meaningful, and that better connect accountability determinations to delivery of supports that can help all schools move all students toward college- and career-ready performance.

As this work moves forward, CCSSO intends to work with states, individually and collectively, to support development of promising, evidence-based accountability systems that move beyond NCLB and may result in state-specific proposals to put these systems in place. We call on Congress and the Administration to support this state-led approach.

Consistent with our pending Task Force report, each state (acting individually or collectively) should be empowered to propose for review and approval a new model of school and district accountability based on several principles that are designed to better drive school performance toward college- and career-readiness; more accurately and meaningfully identify and support the range of schools (particularly including the lowest and highest performing schools); and better provide actionable data to support districts, schools, principals, teachers, parents, students, and policymakers to dramatically improve student achievement. Each state’s proposal should address several requirements. It must:

- Fully align accountability expectations and measures to the goal of all students graduating from high school ready for **college and career**;
- Make annual accountability determinations for **all schools based on the performance of all students**;

- Base accountability determinations on **student outcomes**, including but not necessarily limited to improved, rigorous statewide assessments in reading and math (grades 3-8 and high school) and accurate graduation rates;
- Include both **status and growth** measures in accountability determinations, measuring whether students are on track or making significant progress toward college and career readiness;
- Base accountability determinations in part on **disaggregated data** of student performance across relevant subgroups;
- Provide **timely, transparent, disaggregated data** and reports that can meaningfully inform policy and practice;
- Identify at a minimum the **lowest performing schools for significant, meaningful interventions**, as well as the highest performing schools as models of excellence (chiefs believe it is the state’s responsibility to develop comprehensive state accountability systems that include a focus on improving schools across the entire performance continuum but believe that for federal accountability purposes, requirements should be limited to the chronically underperforming.).

Beyond these core requirements, states may and will develop proposals that approach these issues in different ways. State proposals could include several other elements beyond those above, such as inclusion of deeper diagnostic reviews to better link initial accountability determinations to delivery of meaningful supports and interventions. State proposals may and will look different across different states, based on state context, priorities, and ideas for innovation. Further, state proposals may include key transition rules that states might need to move to these new accountability systems, such as holding schools in their accountability status for a limited time as we move to new, improved assessments and accountability models. Finally, state proposals should include regular review and be designed to evolve over time.

This state-led approach to revising NCLB implementation could be a model for ESEA reauthorization and could be managed much like prior NCLB “accountability plans,” but with far greater focus on state innovation, evaluation, and continuous improvement.

We look forward to working with you further in support of education reform across the nation.

Sincerely,



Gene Wilhoit

cc: The Honorable John Kline
The Honorable George Miller
The Honorable Arne Duncan
Members of the Senate Health, Education, Labor and Pensions Committee
Members of the House Education and Workforce Committee
Senate Leadership
House Leadership



Guiding principles for Congress in reauthorizing ESEA

Michael A. Resnick

As Congress prepares to reauthorize the Elementary and Secondary Education Act (ESEA), the chairs of House and Senate education committees are likely to take very different approaches to their review of the law. But, regardless of the approach, Congress must allow seven principles to guide its work for the process and the ultimate product to be successful.

On the Senate side, Education Committee chair Tom Harkin (D-Iowa) appears to be following the approach of previous reauthorizations by addressing all titles of the 1,100-page law in one comprehensive package. This approach helps ensure that various parts of the law -- such as academic accountability, professional development, and programs for English language learners -- are in sync with each another.

Meanwhile, House Education and Workforce chair John Kline (R-Minn.) has indicated he wants to reauthorize ESEA in separate, more bite-size pieces. His approach would allow Congress to focus more carefully on each element of this highly technical and disparate law.

The House approach also could protect the legislation from becoming bogged down by multiple controversies, both within the committee and among the dozens of special interest groups that can oppose legislation over just one or two provisions. However, depending on how various pieces are grouped, legislating in segments can take much longer because those passed first must be revisited to accommodate the direction of those that are subsequently enacted.

Here are the principles that Congress must use as it reauthorizes the bill:

- **Involve local school boards and local educators in developing the legislation -- including providing input into the final compromises they reach.** This latter step was not taken in the last reauthorization and contributed to the avoidable, costly, and counterproductive flaws of the No Child Left Behind Act (NCLB).
- **If NCLB's accountability provisions can't be addressed before the 2011-12 school year starts, enact legislation to defer the implementation of sanctions in the current bill.** As the ever-growing percentage of students who must score "proficient" on state tests rises to 100 percent, schools should not have to spend more scarce dollars and staff time for programming built on a flawed accountability system.
- **Don't micromanage schools, allow the U.S. Department of Education to do so, or adopt rigid one-size-fits-all approaches.** The federal role can provide valuable leadership -- to strengthen aspects of the delivery system that focuses on raising

student achievement -- but local schools and districts must have flexibility in pursuing improvements.

- **Align the federal accountability framework with programs that are adequately funded to help school districts reach new performance levels.** This is especially critical because most states are adopting more rigorous standards and tests. Alignment includes support for professional development of teachers, curriculum development, acquiring course materials, and special programming -- like Title I -- for students requiring additional services.

- **Ensure that Congress can fund the new law at levels that match the expectations it outlines.** Given the strained financial condition of schools and states over the next several years, this must be taken into account along with how federal funds are to be delivered to local districts. On the latter point, districts need the certainty and long-term sustainability of broad-based formula programs. Competitive grants to achieve high-leverage change have a place, but the Education Department's move to increase those efforts at the expense of formula funding is way out of balance.

- **Recognize that districts are educating 50 million diverse "whole children,"** each prepared for an information-driven world with the necessary knowledge, skills, values, and expectations. Whether it's a federal accountability system for some subjects or program support for specific initiatives, the federal role needs to be incorporated into the broader mission of education. Federal programs should not place limits on this broader mission or cause artificial segmentation of local education programs so that narrow federal regulations can be met.

- **See the importance of education as a nationally recognized necessity for America's future.** As complicated and difficult as the reauthorization process may be, Congress must not give up. It cannot put off replacing the current law's shortcomings with the more effective role that the federal level can play.

The responsibility for good legislation does not rest solely on Congress doing the right thing. School boards must work proactively with their lawmakers. Do your representatives know your district's challenges, what works and what doesn't in federal programs, as well as your district's goals and plan to raise student achievement? If they don't know what's happening in your district, can you blame them for taking the wrong course of action?

Earlier this month, more than 800 school board members and state association leaders took these principles to Capitol Hill at NSBA's Federal Relations Network Conference. As the legislation evolves, we can be successful if the number of school board advocates multiplies -- and includes your voice as well.

Michael A. Resnick (mresnick@nsba.org) is associate executive director for advocacy and issues management at the National School Boards Association. His column appears monthly in *ASBJ*.

The CHRISTIAN SCIENCE MONITOR

By Gail Russell Chaddock, Staff writer / March 14, 2011

President Obama's call to Congress to significantly revise the nation's top education law, No Child Left Behind, by the first day of the new school year faces tough headwinds on Capitol Hill, despite broad agreement on needed fixes.

Both Republicans and Democrats agree that NCLB's achievement standards are too rigid. The Department of Education estimates that, according to those standards, more than 80 percent of the national K-12 schools may be labeled as failing this year – up from 37 percent last year.

But Mr. Obama's plans to reform NCLB come to a Congress preoccupied by budget matters and to House Republicans eager to reduce federal influence in education. With the current year's budget still living week to week on stopgap funding measures – followed by battles over the fiscal year 2012 budget and a highly controversial measure to raise the national debt ceiling – an education deal on the president's timetable looks unlikely.

The Obama administration's proposed fixes include: improving standards and assessments, giving high-performing schools more flexibility and the lowest-performing schools more help, and recruiting better teachers and rewarding them for how effectively they improve student performance.

Senate vs. House

The Senate has been working toward a bipartisan agreement on education reform for more than a year and hopes to complete work on the reauthorization of NCLB this spring. But the House is just getting started – and the mantra of the new majority House Republicans is: We're broke, so we can't afford it. They aim to scale back education spending and the federal role in local schools.

“Although we have our different approaches, everyone agrees current law is broken and in need of repair,” said US House Education and the Workforce Committee chairman John Kline (R) of Minnesota and subcommittee chair Duncan Hunter (R) of California in a statement on Monday. “The status quo is failing both students and tax payers; it is time we reconsidered the role of the federal government in our schools.”

On Monday, Obama rebuked this suggestion. “Let me make it plain: We cannot cut education,” he said

A telling sticking point is whether to renew funding for President Obama's signature Race to the Top grants. In an unprecedented move, the Democrat-controlled Congress gave the Education Secretary Arne Duncan a \$4 billion fund to use at his discretion to leverage education reform. The Obama administration calls Race to the Top the most effective program in the department's history and is proposing \$1.4 billion to fund the program for the balance of the fiscal year.

But the Republican-controlled House last month voted to zero out funding for the program. “The federal role in education is a history of underperformance, hype, and false promises,” said Rep. Peter Roscam (R) of Illinois, the chief deputy whip, at a press briefing on Feb. 28.

Federal standards: a brief history

The move to involve the federal government in standards-based reform has been a priority of the last four presidents. Despite opposition from GOP conservatives, President George H. W. Bush launched the concept with the support of top business groups. President Clinton, who campaigned to become “the education president,” won legislation that used federal aid to leverage more accountability for results.

With the support of then-Sen. Edward Kennedy (D) of Massachusetts and Rep. John Boehner (R) of Ohio, President George W. Bush passed NCLB, which gave Washington a heightened role in the nation’s classrooms. It set up rules to measure whether schools were demonstrating “adequate yearly progress” in reading and math, including a goal that all children should reach proficiency in these fields by 2014.

Republican conservatives went along during the NCLB debates. But with the federal deficit at \$1.6 trillion, House conservatives – especially many in the 87-member GOP freshmen class – are now pushing back.

“There’s a strong element in the Republican caucus that wants to do away with a federal role in education,” says Jack Jennings, president of the Center on Education Policy. “The prospects of getting reauthorization are improving because of the president and Senate leadership, but the main obstacle will be the tea party in the House.”

Sharp cuts in federal education funding could threaten implementation of several reforms, such as common core standards in English and math already adopted by 43 states. Another possible casualty would be systems to measure the effectiveness of teachers – a key to the reform goal of rewarding teachers according to their ability to raise student achievement.

Says Mr. Jennings: “The reforms may be stillborn because there won’t be the money to put them in place

Duncan: 82 Percent of Schools Could Be 'Failing' This Year

By [Michele McNeil](#) on March 9, 2011 4:53 PM | [29 Comments](#) | [2 Recommendations](#)



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UPDATED

U.S. Secretary of Education Arne Duncan is warning Congress that unless changes are made to a key facet of the Elementary and Secondary Education Act, the country is on track to see 82 percent of its schools labeled "failing" this year.

He drove home that message in testimony Wednesday before the House Committee on Education and the Workforce, but drew swift criticism from education advocates and groups that questioned the department's methodology and motives in issuing that estimate.

Testifying on the pending reauthorization of the No Child Left Behind Act, the current version of ESEA, the education secretary said: "Four out of five schools in America may not meet their goals under NCLB by next year. The consequences under the current law are very clear: States and districts all across America may have to intervene in more and more schools each year, implementing the exact same interventions regardless of schools' individual needs."

He was referring specifically to adequate yearly progress, or AYP, which is the cornerstone of the No Child Left Behind Act. Schools that don't hit annual performance targets—for their students or for smaller subgroups, such as English-language learners—face an escalating set of sanctions. The law aims to make all students 100 percent proficient in reading and math by 2014, but as that deadline nears, more and more schools are failing to hit performance targets.

The U.S. Department of Education's **82 percent failure** number is an estimate only, based on best-case assumptions that all schools will improve at the rate of the top-performing quartile of schools. To come up with that estimate, the department used four years worth of AYP data, from the 2006-07 through the 2009-10 school years. Statisticians examined the amount of gain on state reading and math tests and used that gain to build projections compared against the states' annual performance targets. The department took into account highly technical parts of the law, such as **safe harbor** or "n" sizes (the minimum size for a subgroup to trigger accountability.)

Jack Jennings, the president of the Center on Education Policy, which tracks schools' AYP progress, says he

can't believe that number, especially since it's more than a doubling of the number of schools that didn't make AYP in 2009-10. "I hope they're right," said Jennings, who urged the department to put out a technical paper explaining its calculations. "They're dealing with their credibility."

At best, the number is highly misleading, said Charles Barone, the director of federal legislation for Democrats for Education Reform, a New York City-based political action committee. He said that not making AYP during one particular year does not mean a school is "failing", a word that NCLB doesn't even use. NCLB sanctions don't kick in until schools fail to make AYP for two consecutive years.

"I think they're going to regret this," Barone said. "While I understand their frustration in trying to pass the law, I think it's only going to hurt them. They're creating an atmosphere of fear."

Both DFER and the Education Trust, a Washington-based nonprofit, disagree with the department's methodology.

Sandy Kress, a former White House aide who played a key role in working with Congress to craft NCLB, pointed out that there might be a good reason the number is so high: because states insisted on working their way slowly towards the 100 percent proficiency goal at first, then raising expectations much faster once 2014 neared—akin to a balloon payment.

"States said they needed time to get reforms under way," said Kress, who said that Duncan was trying to create "a little bit of panic."

Andrew J. Rotherham, a partner at Bellwether Education Partners, a nonprofit education consulting firm, said Duncan's testimony will likely only contribute to the confusion over the law's AYP requirements. "It's not especially responsible rhetoric," he said.

Other groups, however, pointed out that the larger message carried throughout Duncan's testimony is important. Even though AYP is a complex issue, "this measure shows how the accountability system does not work. It's very easy to wrap your head around that 82 percent of our schools might be labeled as failing," said Noelle Ellerson, the assistant director for policy analysis and advocacy at the American Association of School Administrators.

It's also important to note that Duncan has already relaxed some of the sanctions for schools not making AYP, such as [allowing districts to do their own tutoring](#) (rather than using an outside provider), and allowing tutoring to be provided before schools have to offer to send students to higher-performing schools (the choice provision).

The Obama administration's blueprint for ESEA reauthorization calls for pushing back the 2014 deadline for 100 percent proficiency and replacing that goal with new standards aimed at getting students ready for college or the workforce by 2020. States would be given more leeway to intervene in most districts and schools that are making modest gains. But the bottom 5 percent of schools in each state would be required to follow one of the Education Department's [four turnaround models](#).

Clearly, Duncan is trying to send a message that will resonate with members of Congress, who probably would rather not see schools back home hit with a "failing" label. Whether this is enough to jump-start reauthorization is an open question. One thing may be telling: By more than halfway through the hearing, no member of the committee had asked any specific questions or called attention to the number.

Photo: U.S. Secretary of Education Arne Duncan arrives to testify before the House Education and the Workforce Committee. (Tom Williams/Roll Call/Getty)

Categories: [Arne Duncan](#), [ESEA](#), [No Child Left Behind](#)

Tags: [Arne Duncan](#), [Elementary and Secondary Education Act](#), [No Child Left Behind](#)

Obama Calls for NCLB Fix, Warns Against Ed. Cuts

By [Alyson Klein](#)

President Barack Obama on Monday called on Congress to revise the No Child Left Behind Act in time for the start of the new school year, while pledging to block any congressional attempt to cut education spending amid a continuing federal budget battle.

There were no NCLB policy prescriptions in the speech that educators and lawmakers hadn't already heard from U.S. Secretary of Education Arne Duncan, who as recently as last week urged Congress to renew the law on the same timetable.

But President Obama's talk at a Virginia middle school was the first time he had devoted an entire speech to renewal of the Elementary and Secondary Education Act, which is seen as a rare area of potential common ground between the administration and Republicans in Congress. The NCLB law is the current iteration of the ESEA.

"I want every child in this country to head back to school in the fall knowing that their education is America's priority," Mr. Obama said. "Let's seize this education moment. Let's fix No Child Left Behind."

In his speech at Kenmore Middle School, in Arlington, Va., Mr. Obama hewed closely to the policy proposals unveiled a year ago in the administration's [blueprint](#) for revising the law. The blueprint, which has never been formally introduced as legislation, calls for replacing adequate yearly progress, or AYP, the accountability system at the heart of the law, with a new metric aimed at gauging whether students are ready for post-secondary education or the workforce.

It also calls for allowing states more flexibility to intervene in schools that are failing to meet the law's achievement targets, while keeping a tight federal focus on those that are perennially struggling.

Mr. Obama in his speech also repeated the blueprint's call for a new focus on teacher effectiveness and accountability, coupled with ensuring that teachers are fairly paid and properly supported. The blueprint proposes that states set a definition of teacher effectiveness, which would be incorporated into educator evaluations.

"What we need to do is a better job preparing and supporting our teachers, measuring their success in the classroom, holding them accountable," the president said. "We're going to have to stop making excuses for the occasional bad teacher. We're going to have to start paying good ones like the professionals that they are. If we truly believe that teaching is one of the most valued professions in society—and I can't think of a more important profession—then we've got to start valuing our great teachers."

Replacing AYP

To underscore the urgency around ESEA reauthorization, Mr. Obama said that [more than 80 percent](#) of schools will be "labeled as failing" this year, a point that Mr. Duncan made in testifying before House lawmakers last week.

In fact, the school where Mr. Obama delivered the speech is going to be unfairly viewed as "failing" under the law, the president said. He appeared to acknowledge pushback to the

administration's estimate of how many schools would fall short, including from some experts generally sympathetic to the administration.

"Skepticism is somewhat justified," Mr. Obama said. "We know that four out of five schools in this country aren't failing. So what we're doing to measure success and failure is out of line. "In fact, the list of supposedly failing schools includes schools that are actually making extraordinary progress—including Kenmore. So, yes, we've still got more work to do here at this school to close the achievement gap." But he added, "Kenmore is thriving. You guys are doing great. You got more work to do, but you're doing fine."

The school has **not met** the law's achievement targets in reading and math for black and Hispanic students, and students with disabilities. The only student group meeting proficiency in math is white students.

Congressional Movement?

Key lawmakers have been meeting with Secretary Duncan for over a year to discuss ESEA reauthorization. And members have been personally engaged in a bipartisan way. Sens. Tom Harkin, D-Iowa, the chairman of the Senate Education Committee; Michael B. Enzi of Wyoming, the panel's top Republican; Lamar Alexander, R-Tenn.; and Jeff Bingaman, D-N.M., have been meeting twice a week, for a couple of hours at a time to talk about a revision of the law.

Such a sustained level of lawmaker involvement has been highly unusual on Capitol Hill, particularly in recent years; typically congressional staff members take the lead on discussions of legislation.

Still, there are plenty of political hurdles to getting a bill through Congress by the administration's timetable. For instance, Democrats remain divided on issues such as paying teachers for their performance, and Republicans are trying to figure out the right role for the federal government in K-12 policy. Some freshmen members, particularly those associated with the tea party movement, campaigned on getting rid of the U.S. Department of Education. A key Republican signaled that Congress may need more time to craft the legislation. "The president's remarks affirm the importance of fixing the nation's broken education system," said Rep. John Kline, R-Minn., the chairman of the House Education and the Workforce Committee. "We need to take the time to get this right—we cannot allow an arbitrary timeline to undermine quality reforms that encourage innovation, flexibility, and parental involvement."

Budget Showdown

Mr. Obama also said he would reject any attempts by Congress to cut education funding to balance the budget. He likened his approach to the kind of decisions a family would make in trying to cut back on spending—the last thing they would touch, he said, would be their children's college fund.

Lawmakers are still struggling to hammer out a budget for the rest of the fiscal year. High-profile education programs—such as Striving Readers and the Even Start Family Literacy Program—have already taken a hit in the stopgap spending measure that is funding the federal government through Friday.

And the Republican-controlled U.S. House of Representatives has shown support for slashing Pell Grants for needy college students, Head Start, Title I grants to districts, and money to turn around low-performing schools.

Mr. Obama said the nation must rein in spending.

“We can’t be reckless, and we can’t be irresponsible about how we cut. Let me make it plain: We cannot cut education,” he said. “A budget that sacrifices our commitment to education would be a budget that’s sacrificing our country’s future. That would be a budget that sacrifices our children’s future. And I will not let it happen.”

For their part, education advocates say the White House push could prove helpful in moving discussions on the education law forward.

“We’re heartened [by the speech] and very much committed to the idea of getting ESEA reauthorization” completed, said Mary Kusler, the manager of federal advocacy for the National Education Association, a 3.2 million-member union. She said the president has made it clear since his State of the Union address that ESEA is one of his top priorities. The remarks today signaled that the president doing his part to keep the White House involved in the process, she said.

But Ms. Kusler cautioned that “it isn’t just about getting a law done. ... We want to make sure the [new] law focuses on the right things.” She listed as top priorities for the union using measures beyond just standardized tests to demonstrate student growth, building capacity in the lowest-performing schools, and “elevating the teaching profession.”

Vic Klatt, a principal at Penn Hill Group, a government-relations and advocacy organization in Washington, and a long-time aide to Republicans on the House Education committee, said that there is a lot of consensus on education when it comes to “big picture issues.”

“Everyone agrees that we need to do something,” he said. But “everybody is not there on the details. ... The details are hard, really hard. That’s why it’s taken so long” to pass a reauthorization bill.

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The Policy and Politics of Rewriting the Nation's Main Education Law

The issues are difficult and politics tricky, which means that renewing the Elementary and Secondary Education Act next year will be particularly challenging.

By Jack Jennings



During 2011-12, Congress plans to rewrite the Elementary and Secondary Education Act, the baseline federal law that authorizes a broad range of programs and policies, from the \$13 billion Title I program for disadvantaged children to a \$2 million program for history and civics education. Most of the debate will focus on the comprehensive amendments made to ESEA in 2002 by the No Child Left Behind Act, which greatly expanded federal and state government influence in such areas as student testing and teacher qualifications.

In light of the controversy associated with NCLB — maybe “the most tainted brand in America” according to Rep. George Miller (D-Calif.), one of the law’s prime architects — the next set of ESEA amendments will drop the NCLB name. It will also probably include substantial policy revisions, long awaited by most educators after efforts to reauthorize ESEA stalled in the previous two Congresses. But the current political climate doesn’t bode well for

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● **Accountability for improved student achievement lies at the heart of the ESEA debate.**

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passage of a major ESEA reauthorization bill. With more Republican and conservative members in Congress, deadlock is as likely as consensus.

What forces could lead to deadlock on a much-anticipated bill of this magnitude? What will it take to surmount the obstacles?

MAJOR ISSUES

Although the rewrite of ESEA will be comprehensive, most of the attention will focus on a limited number of pressing issues. The starting point for congressional debate is likely to be the Obama Administration's plan, which is described in *A Blueprint for Reform*, released by the U.S. Department of Education in March 2010.

Goals and Accountability Measurements. Accountability for improved student achievement lies at the heart of the ESEA debate. Two fundamental questions will guide the reauthorization: How should student progress in English language arts and mathematics be measured? And what should the consequences be for schools that don't make sufficient progress?

NCLB set a goal that every student will be proficient in English language arts and mathematics by 2014. Each state has established its own standards for proficiency, along with periodically rising interim targets that lead to 100% proficiency by 2014. Every public school in the nation must test its students annually and publicly report the results for students as a whole and for various student subgroups. Schools that receive federal funds (the majority of schools) are subject to consequences if they don't demonstrate Adequate Yearly Progress (AYP) in meeting their state's targets for the percentages of students scoring proficient and other achievement indicators.

The Administration proposes replacing the NCLB goal of 100% proficiency with the goal that by 2020,

all students will graduate from high school, or be on track to graduate, ready for college and a career. The Administration also wants to replace AYP with a system that measures individual student growth over time, rather than measuring the aggregate performance of a whole group of students against a set of fixed achievement targets. Performance targets would be retained, as would the disaggregation of results by subgroups. As with many issues, the Obama *Blueprint* does not contain more specifics about accountability.

Controversies will develop in Congress over whether Obama's new goal of college and career readiness is concrete enough to replace proficiency, how to use growth models to measure individual student progress, and whether keeping performance targets is a backdoor way to retain an AYP-like system. Many Republican and conservative members are likely to question whether the federal govern-



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● **Should the federal government make the receipt of federal funds contingent on states adopting common academic standards?**

ment should require any type of accountability for schools or if accountability should be left to state or local control.

Common Standards. NCLB allowed each state to develop its own academic standards for English language arts and mathematics, an approach that has resulted in 50 different sets of state standards. Thus, a major issue for the ESEA debate is whether the federal government should make the receipt of federal funds contingent on states adopting common academic standards, such as the English language arts and mathematics standards developed by the National Governors Association and the Council of Chief State School Officers and adopted by a majority of states.



Deepen your understanding of this article with questions and activities on page PD 4 of this month's *Kappan Professional Development Discussion Guide* by Lois Brown Easton, free to members in the digital edition at kappanmagazine.org.

President Obama, who favors the movement toward common standards, seeks to amend ESEA to require states to either adopt these common standards or develop their own college- and career-ready standards in cooperation with their public university systems. Furthermore, the *Blueprint* proposes that, for states to receive federal formula grants to improve assessments, they must adopt standards “common to a significant number of states” by 2015.

- **Should the federal government encourage or eliminate school choice and tutoring mandates?**

Some conservatives will argue that federal encouragement of common standards will lead to federal control of curriculum. In addition, several organizations representing public school educators may oppose linking federal aid to the adoption of common standards.

School Improvement. The consequences for schools that don’t show progress are also integral to an accountability system. Under NCLB, the consequences for schools that don’t make AYP become more dramatic over time. Initially, these schools must offer parents the option to transfer their child to another public school; they next must offer low-income parents federally funded tutoring provided by a private vendor or other provider of the parents’ choice; and eventually they must replace staff and undergo other types of major restructuring.

The Obama Administration wants to move from the failure-based NCLB accountability system to a system that rewards success, targets a smaller subset of schools for consequences, and gives greater flexibility to states. School districts and high-poverty schools that demonstrate progress would receive cash rewards and additional flexibility in administering federal programs. The lowest-performing 5% of a state’s schools would have to follow four prescribed reform models, the next 5% of schools would be on a warning list, and schools that don’t show progress in closing persistent achievement gaps between subgroups would be subject to district interventions. In dealing with schools in the middle of the performance spectrum, states would have greater flexibility than at present; for example, school choice and tutoring would no longer be mandated for any school.

Congressional Republicans, who tend to favor greater choice and privatization in education, are likely to oppose the elimination of the school choice and tutoring mandates. Obama’s four reform models for low-performing schools are also controversial because evidence about their effectiveness is weak and because they often aren’t feasible in rural

areas or other situations. Critics of the Obama proposal may also note that the lowest-performing 5% of schools in one state may still be doing better than the lowest 5% in another state, and they may question whether schools that aren’t among the highest- or lowest- performing will escape consequences.

Teacher Evaluations and Pay. The Administration’s criteria for competitive Race to the Top grants under the economic stimulus legislation awards points to states that evaluate and compensate teachers based partly on student test results. Despite strong opposition from teacher unions, many states changed their teacher policies accordingly to improve their chances of receiving these grants. This issue will arise again during the ESEA reauthorization, as the Congress debates whether the federal government should further encourage states to link teacher evaluation and compensation policies to student test scores.



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- **Should the federal government further encourage states to link teacher evaluation and compensation policies to student test scores?**

The Obama *Blueprint* would require states receiving federal funds to develop statewide definitions of “effective” and “highly effective” teachers and principals that are based in significant part on student growth measured by test results. States must develop data systems that link teacher and principal preparation programs to student growth, and districts must develop evaluation systems that incorporate their state’s definitions of effectiveness. Furthermore, the *Blueprint* would continue the Teacher Incentive Fund, a competitive grant program that differentiates teachers and principals according to student growth and supports changes in compensation

● Should federal education funding shift away from formula grants and toward competitive grants?

systems that vary pay and career advancement based on increases in student achievement.

The controversies in Congress will center on the fairness of these proposals. The teacher unions and other opponents will contend that test results are not a fair way to measure student progress because tests aren't always sensitive to good instruction, teachers are assigned classes of students with greatly varying abilities, and multiple teachers often deal with a particular class. Proponents will contend that student academic growth is the basic objective of schooling and that tests are the best tool available to measure that growth.

Competitive Grants. Most federal aid for elementary and secondary education is distributed to states and school districts based on formulas that incorporate such factors as numbers of poor students. Generally, the flow of formula grant funding is predictable from year to year. The Obama Administration would like to shift a greater share of federal funds away from formula grants and toward competitive grants. This shift was evident in the President's budget for school year 2011-12, which requested level funding for Title I and the Individuals with Disabilities Education Act, the two largest education formula grant programs, and additional dollars for such competitive grant programs as Race to the Top and the Teacher Incentive Fund.

Thus a key question for the ESEA reauthorization is the following: Should federal education funding shift away from formula grants, which are allocated on a regular basis to almost every school district for such priorities as educating students with special needs, and toward competitive grants, which are awarded only to states and school districts with policies that reflect federal reform priorities?

The controversies in Congress will revolve around whether the President's reform priorities are the proper ones, whether competitive grants give too much control to the federal government and the Administration currently in office, whether competitive grants are weighted toward better grantwriters or states and districts with more resources, and whether the federal government is abandoning its ongoing responsibilities by level-funding the major programs serving disadvantaged students and those with disabilities. The Administration and its allies will counter that the \$4 billion Race to the Top competition brought more change more quickly than the ESEA formula grant programs, which together received roughly \$32 billion dollars in fiscal year 2010.

Proper Federal Role. During the 2010 election campaign, many Republican candidates contended that

the federal government was asserting too much control of education. Mainline public education organizations have also expressed concern about the Obama Administration imposing on schools its agenda of charter schools, teacher evaluations tied to student test scores, and competitive grants focused on specific reforms.



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● Should the federal government have a significant role in education and, if so, what limits should exist for that role?

With the federal government a more forceful player in education than ever before, the new Congress is likely to see a vociferous debate about a fundamental issue that transcends specific programs: namely, whether the federal government should have a significant role in education and, if so, what the limits on that role should be. This debate may include proposals to eliminate federal aid to education or to remove most federal requirements and let states use federal funds for their own priorities.

POLITICAL FACTORS

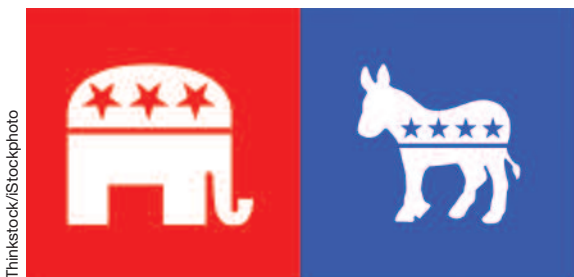
Hundreds of groups — far too many to mention here — are clamoring for a voice in reshaping this significant piece of legislation. The discussion below describes the major political factors and some key players that will influence the Congressional debate on ESEA.

The New Dynamic. During the first two years of

the Obama Administration, the Democrats controlled the Congress, which gave the President an advantage in moving on his policy agenda. The problem, though, was that he faced a long agenda — averting an economic depression and dealing with a recession, strengthening oversight of the financial sector, scaling back the Iraq war, increasing military action in Afghanistan, reforming health care, and curtailing illegal immigration. With the focus on these urgent issues, the Administration and Congress turned their attention to ESEA too late in 2010 to write and pass a bill.

Will the prospects for rewriting ESEA be any better in 2011 and 2012? The Republicans have gained control of the House and increased their numbers in the Senate. They did this by opposing President Obama and the Democrats almost unanimously on most domestic issues during the past two years. Now, as they seek to defeat the President's reelection in 2012, they have little incentive to change this strategy of opposition.

The only hope for bipartisan agreement is if the Republicans find it expedient to make an exception for education. Although many Republicans agree with several of the President's education proposals, such as expanding charter schools and linking teacher evaluations to test scores, there are two problems. First, many new Republican members of Con-



- **The only hope for bipartisan agreement is if the Republicans find it expedient to make an exception for education.**

gress ran against Washington and federal influence and may be unwilling to support a strong federal education law in exchange for limited federal aid to increase charter schools. Second, many Democratic members of Congress survived the Republican tide with robust support from public school teachers and their unions, and they are unlikely to support such proposals as tying teacher evaluations to test scores.

In short, the political climate for an ESEA reauthorization during the next two years is not favorable. Deadlock can be avoided only if President Obama makes revising ESEA an extremely high pri-

ority and persuades enough Democratic members to support a renewal. In addition, enough Republicans must decide that more is to be gained than lost by cooperating with Obama and the Democrats on education. This could occur, for example, if some Republicans want to exert leadership on education instead of merely obstructing the Democrats or if the number of schools failing to make AYP increases dramatically, thus intensifying pressure for changing NCLB. All sides must find the political will and the right balance of legislative changes to create consensus among the President and congressional Democrats and Republicans. These political and policy challenges will be formidable.

Influential Groups. In our system of government, citizens' opinions on policy issues greatly influence Congress as it considers legislation. These opinions are formalized in the positions of representative groups.

During the last Congress, the National Education Association, the American Federation of Teachers, the National School Boards Association, the American Association of School Administrators, and the principals' organizations pressed for renewal because they wanted greater flexibility in the NCLB accountability provisions and were troubled about projections that a majority of schools would not make AYP in the next few years. But their pleas for action went unheeded amid the year's congressional backlog.

The major national education organizations generally have concerns about President Obama's emphasis on charter schools, teacher evaluations linked to student test scores, and a shift to competitive grant programs. However, many other parts of the Administration's *Blueprint*, such as eliminating the 100% proficiency goal, scrapping AYP, and basing accountability on individual student growth, are consistent with these groups' major recommendations for changing NCLB. Consequently, the mainline education organizations support congressional action on ESEA and hope to influence the outcome through pressure from their memberships.

The National Governors Association and the Council of Chief State School Officers, which generally support renewal of ESEA but would like more flexibility in administering the law, have an interest in maintaining state leadership over their new common standards and will be wary of attempts to tie receipt of federal aid to common standards. The National Conference of State Legislatures is very concerned that greater federal influence in education will come at the expense of state control.

Scores of other organizations — including national civil rights groups, organizations representing Latinos and students with disabilities, and academic

subject-matter advocates — also have ESEA policy positions and lobbyists ready to fight for their changes. The diverse interests of these organizations will complicate efforts by Congress to reach agreement on a new law.

Several newly influential organizations demonstrate how policy and politics can become intertwined. These include Teach for America, New Leaders for New Schools, the New Teacher Project, New Schools Venture Fund, Democrats for Education Reform, and the KIPP Academies. The Education Trust, which had considerable influence on Congress when NCLB was written, is similar to these newer groups in ideology and a reliance on charitable foundation funding as their main source of support.

- **The newer reform-oriented groups will use their influence to counter the impact of the teacher unions and other national education organizations.**

All of these organizations were formed within the last 20 years, principally to spur improvements in urban school districts. They generally share a common agenda of promoting charter schools, tying teacher evaluations to student test scores, supporting alternative paths to teacher certification, and promoting higher academic standards, and they support several of the Administration's more controversial proposals. Despite their liberal and Democratic ties, these groups often find themselves aligned with the Business Roundtable and conservative organizations that support greater competition in public education and oppose the influence of teacher unions.

Although these newer groups don't have the large memberships of the major education organizations, they have considerable influence with the national news media, charitable foundations, and the Obama Administration. Their influence is also seen in the growing numbers of new teachers, principals, and superintendents who have undergone their training programs or are otherwise involved in their work.

One way to view the influence of these groups is to look at their financial assets, mostly derived from foundations. Teach for America, for instance, reported net assets in 2008 of \$261.5 million on its tax form 990, and this was before receiving a \$50 million grant from the Obama Administration in 2010. By contrast, the National Education Association and the American Federation of Teachers, which together have 4.6 million members, reported assets in 2008 of \$87 million for both organizations. Clearly, Teach for America is no lightweight on the policy scene.

The newer reform-oriented groups will use their

influence to counter the impact of the teacher unions and other national education organizations on the controversial issues mentioned above. One might see the Obama Administration, the reformers, some Democrats, and the Republicans aligning against the teacher unions, other mainline national education associations, and many Democrats.

As President Obama prepares to run for reelection in 2012, it remains to be seen whether he would sign a bill supported by many Republicans and some Democrats but opposed by many Democrats and mainline public education organizations. Or, if the proposals on the controversial issues are watered down to secure greater support from Democrats and the mainline groups, the Republicans — already reluctant to give Obama a victory — might walk away from what they see as a weakened set of reforms.

CONCLUSION

Renewing the Elementary and Secondary Education Act in 2011 will be particularly challenging. The issues are difficult and the politics tricky. To succeed, the President will have to make ESEA a high-priority issue, Republicans will have to make an exception to their general policy of opposing President Obama, and national education organizations and newer reform groups will have to support compromises.

The nation needs a new education law. In the eight years since NCLB was enacted, we have learned a lot, and new issues have arisen. We simply cannot tolerate two years of political deadlock before we again address the country's need to improve its schools. ■



“Why is it always about teacher lay-offs? Why can't they ever have student lay-offs?”

The White House
Office of the Press Secretary
For Immediate Release
March 14, 2011

President Obama Calls on Congress to Fix No Child Left Behind Before the Start of the Next School Year

WASHINGTON, D.C. – In a speech at Kenmore Middle School, President Obama urged Congress to fix No Child Left Behind (NCLB) before the start of the next school year. The President articulated key priorities for reforming NCLB that will enable us to win the future and prepare our students to out-educate and out-compete the world in the 21st century economy:

A fair accountability system that shares responsibility for improvement and rewards excellence, and that is based on high standards and is informed by sophisticated assessments that measure individual student growth;

A flexible system that empowers principals and teachers, and supports reform and innovation at the state and local level;

And a system focused on the schools and the students most at risk -- that targets resources to persistently low-performing schools and ensures the most effective teachers serve students most in need.

“We need to make sure we’re graduating students who are ready for college and a career.”
President Obama said. “In the 21st Century, it’s not enough to leave no child behind. We need to help every child get ahead. We need to get every child on a path to academic excellence.”

As a recent analysis from the Department of Education shows, NCLB's broken accountability system means that the overwhelming majority of schools will not meet NCLB's goals and the students most at risk won't get the help they need. Instead of NCLB's one-size-fits-all mandates, we need to fix this law now so that we can close achievement gaps and win the future.

Over the past several weeks, President Obama has highlighted schools across the country that demonstrate the impact of reforms at the state and local levels, the importance of shared responsibility in education, and most importantly the goal of achieving results. At [Miami Central High School](#) the President highlighted the ability of a community to come together and make the tough reforms and take on the challenging work to turnaround a low-performing school. At [TechBoston Academy](#), the President discussed the shared responsibility and positive results of public and private sectors in the education of our nation’s children.

In today’s speech, the President praised current efforts by Congressional leaders to replace NCLB and urged Congress to make these vital reforms before the next school year begins. With the United States lagging far behind international competitors in science, reading and math, the need for swift reform has never been greater.

FACT SHEET: Fixing No Child Left Behind

No Child Left Behind (NCLB) is the current version of the Elementary and Secondary Education Act (ESEA), a landmark federal law established in 1965. ESEA was originally established to ensure educational equity for all students. The law is routinely "reauthorized" by Congress and has not been reauthorized since 2002 – the longest-ever period between rewrites of this law.

NCLB was proposed by the Bush Administration and enacted by the 107th Congress, in 2001, by an overwhelmingly bipartisan vote and signed into law in 2002. NCLB requires each state to set academic standards; test all students periodically in science as well as in reading and math in grades 3-8 and once in high school ; and to set annual accountability targets for every school to meet. NCLB sets a national goal that by 2014 all students would be "proficient" in reading and math, and requires states and school districts to intervene in schools that miss their annual targets for multiple years. However, 37% of America's schools today are not meeting their annual targets mandated by NCLB. The U.S. Department of Education estimates that number could more than double, to over 80% of schools in 2011, highlighting the need to fix the law.

NCLB helped highlight achievement gaps among low-income students, minorities, students with disabilities, and English language learners, and it requires all schools to show whether they are closing these achievement gaps. However, the law needs urgent attention to be fixed with a new framework that is fair, flexible and focused on results.

The President's Plan to Fix No Child Left Behind

America's future economic competitiveness is being decided every day, in classrooms across the nation. In order to help prepare each of our children to win the future and succeed in the global marketplace, the President has called upon Congress to act this year to replace NCLB with a law that re-shapes the federal role in education to better promote responsibility, reform and results:

One Clear Goal: All Students Graduate College and Career Ready: President Obama's plan will replace No Child Left Behind's accountability system with a new federal framework that is fair, flexible, and focused on helping every student graduate ready for college and career. Instead of labeling more and more schools as "failing" under NCLB, the President wants a smarter system that better focuses meaningful reform on each state's lowest-performing schools and those with the greatest achievement gaps, while rewarding those that make significant strides in helping their students succeed. The President's ESEA plan invests in the work underway in 44 states to replace narrow, fill-in-the-bubble tests with a new generation of college- and career-ready tests, the results of which will drive a new accountability system more accurately focused on student learning and growth.

A Great Teacher In Every Classroom and A Great Principal In Every School: The President's ESEA plan will support a new effort to build the teaching profession through reforms that will help states create better systems to recruit, prepare, develop, reward, advance and retain effective educators. By focusing on teacher effectiveness and driving reforms based in part on evidence of student learning and achievement, this plan will place a greater focus on helping a greater share of teachers excel while rewarding those that are most successful in the classroom.

The President's plan provides resources to back the development of teacher evaluation systems that use student learning and other measures to support and identify good teaching.

Fostering Innovation and Focusing on Results: New economic and global challenges, as well as new knowledge about learning and effective teaching, demand new models for our schools. The President's plan supports incorporating more time for learning and enrichment in and out of school; a continuation of the historic Race to the Top and Investing in Innovation Fund; and greater investments in our public schools, including high-performing charter schools, magnet schools, and other autonomous public schools. The President's ESEA plan supports a continuation of Race to the Top, with a new focus on supporting school districts that are prepared to implement and sustain comprehensive reforms. Technology can help schools move away from a one-size-fits-all approach, personalize learning, and enable students to progress and succeed at their own pace.

A 21st Century Education for Every Student: The President's ESEA plan would dedicate new resources and promote greater state and local flexibility for schools to implement high-quality instruction in reading, math, and science, along with a well-rounded curriculum that will equip students with the skills needed to succeed in the 21st century. Our nation's employers need a workforce of critical thinkers, problem solvers, communicators, and collaborators – and looking for candidates who bring creativity and ingenuity to the job. Our entire education system – from standards to assessments to how we train and support teachers – must promote high levels of learning and strong academic skills.

Challenging the Status Quo: All Students Ready for College and Career **Maintaining NCLB vs. The Obama Plan**

NCLB Status Quo: Rely on unsophisticated bubble tests to grade students and schools.

The Obama Plan: *Support better tests. The Obama Administration has invested \$350 million to support states in their efforts to create more sophisticated assessment systems that measure problem solving and other 21st century skills and that will provide teachers will timely information to help them improve instruction.*

NCLB Status Quo: Teachers and principals don't get credit for improving student scores.

The Obama Plan: *Replace the current pass-fail school grading system with a system that rewards teachers, principals and schools for showing they've helped students improve and doesn't just judge them for how students did on one test on one day.*

NCLB Status Quo: States lowered standards to meet yearly goals under No Child Left Behind. Often, students graduating from high school need remedial courses in college.

The Obama Plan: *Support efforts of the nation's governors and State education leaders to adopt college and career ready standards so when kids go to college they won't need to take remedial courses.*

NCLB Status Quo: A narrow curriculum focused only reading and math.

The Obama Plan: *Invest in state and local efforts to develop a well-rounded curriculum and allow states to include subjects beyond reading and math in their accountability system.*

NCLB Status Quo: Schools that are doing well often get mislabeled as "failing" under No Child Left Behind's broken accountability system.

The Obama Plan: *Offer greater flexibility to states and school districts in identifying areas of improvement and strategies for addressing poor performance, while requiring more meaningful change in the most challenging schools.*

NCLB Status Quo: Too often the schools with the greatest challenges don't have the most effective teachers.

The Obama Plan: *Provide incentives and accountability for getting effective teachers to the schools that need them the most, and identifying and leaning from the most effective teachers.*

NCLB Status Quo: The federal government prescribes "one size fits all" solutions.

The Obama Plan: *Do away with unnecessary federal mandates and increase local control to pursue solutions focused on results. If schools aren't meeting targets, improvement strategies need to be locally crafted to address the problems in those schools.*

NCLB Status Quo: No Child Left Behind does not promote or reward innovation in schools.

The Obama Plan: *Support competitive grant programs that reward states and schools for changing the system by improving how they get the best teachers in the classroom, extending the school day and year, supporting the creation of smarter tests, using data to improve practice, and raising standards for all kids.*

NCLB Status Quo: Our nation's lowest-performing schools lack the resources and reforms needed to improve.

The Obama Plan: *Invest in ambitious and bold efforts to transform our nation's lowest achieving schools, while demanding new and dramatic change in their leadership and reforms to teaching and learning at those schools.*

NCLB Status Quo: Parents are often under-engaged in their child's education, and schools are often unwelcoming of parents.

The Obama Plan: *Double the federal investment in family engagement and provide new incentives for schools to develop innovative ways to engage parents and community members.*

NCLB Status Quo: States often lack the resources to support and address the unique challenges of rural schools.

The Obama Plan: *Support innovation and reform directed at rural challenges. Support the funding necessary for these schools to better use technology in the classroom and address the challenge of recruiting and retaining effective teachers and principals.*

Sec. Duncan's priority: Reauthorize ESEA

U.S. Secretary of Education Arne Duncan promised school board members that he will do everything in his power to ensure that the Elementary and Secondary Education Act (ESEA) is reauthorized by the next school year, and the law's escalating and unfair sanctions will be replaced with supports and rewards for excellent schools.

But to the frustration of several school board members, he refused to address the "what if" question: What actions would he take to remove sanctions *if* Congress does not get a new law passed in time for the new school year?

Duncan, the keynote luncheon speaker at NSBA's Federal Relations Conference on Monday, said his priorities are reauthorizing ESEA, creating better labor-management relations, raising academic standards, and giving every child a well-rounded education. He also vowed to support reform at the local level.

"There's a huge appetite, led by some of you, for change, and for reform," Duncan told the audience of more than 800 school board members and state association leaders.

Conversations with school board members and administrators have convinced him that ESEA must be reauthorized this year. Too many schools are being labeled as failing, he said, which undermines the work and morale of students, teachers, and administrators as well as the public's confidence in schools. And the No Child Left Behind Act, the 2002 reauthorization of ESEA, also inadvertently has led to "dumbing down" of state standards and narrowing of the curriculum, Duncan said.

"We have to fix all of these things," he said.

But Duncan deflected a question from NSBA President Earl C. Rickman III, who was cheered on by the audience when asked where he would support the deferral of the most costly sanctions if the reauthorization was not completed this year. NSBA's advocacy department is pushing members of Congress to pass a comprehensive bill, or at least legislation to remove some of the sanctions, by June 30.

"My mentality is to get this thing passed," Duncan said. "If not, we will cross that bridge at the end of the day. It must be fixed for the entire country. I would love to have a law passed and on the president's desk by the start of the school year."

Further prodding during the question-and-answer session did not bring any more details.

Duncan said a recent trip to Georgia showed him the "extraordinary power school board members have to drive change."

The secretary visited the suburban Gwinnett County school district, which won the 2010 Broad Prize for Urban Education, for its ability to advance student learning, which has seen dramatic changes in the racial and economic diversity in its population.

He then pointed to the Atlanta school district, which is in danger of losing its accreditation in part because of infighting among its school board members.

During the rigorous question-and-answer session, school board members forced Duncan to defend the Obama administration's plans to force states to take drastic actions on the lowest performing 5 percent of schools. Some also pushed him to explain the administration's actions to create new competitive grants, which many smaller school districts might not have the capacity to write grants to compete, while proposing only small increases or level-funding of formula grant programs, including Title I and the Individuals with Disabilities Education Act.

"Do you really believe our children should compete for their education?" asked one member from Washington state.

"We will never walk away from our commitments," said Duncan. He said at least 84 percent of federal K-12 funds will always be formula based, but he insisted that there should be a pot of money set aside to reward states and districts that take the initiative to create excellent programs and higher standards.

Duncan also promised that President Obama will make ESEA and improving K-12 education a top priority, and that his recent State of the Union speech was only the beginning of a long-term commitment.

Rickman, meanwhile, told audience members that whether or not they agreed with the secretary, "He is our best hope for getting any kind of changes and reform."

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House GOP point man on education to Obama: Don't rush me on 'No Child'

By Russell Berman - 03/16/11 06:11 AM ET

Rep. John Kline (Minn.), the House Republicans' point man on education, has a blunt response to President Obama's aggressive push for Congress to rewrite federal education law by August: Don't rush me.

The new chairman of the House Education and Workforce Committee sees election-year politics behind Obama's hurry to overhaul the George W. Bush-era No Child Left Behind law, which Congress approved nearly a decade ago.

"I'm very much aware that 2012 is a presidential election year and presidential politics will start to dominate what goes on around here," Kline told The Hill in an interview Tuesday in his Capitol Hill office. "So there is a little bit of urgency to move, but I'm not going to rush this and do it wrong."

Kline also said the House would not approve a single comprehensive education bill and would instead break up the reauthorization of No Child Left Behind into separate pieces of legislation. The move is a reflection of orders from Speaker John Boehner (R-Ohio) to scrap the thousand-page bills that Republicans decried under the Democratic majority.

"We're just not going to do it," Kline said of passing a comprehensive bill. He added that lawmakers were still "stinging" from the mammoth pieces of legislation that Democrats passed in the last two years.

The chairman's comments come as the Obama administration mounts a coordinated campaign to spur Congress into action on the issue. The law was due for reauthorization four years ago, and school districts nationwide are barreling toward a 2014 deadline for meeting proficiency benchmarks, with crippling sanctions in place, up to and including school closures, if they don't. The Department of Education warned last week that if the law isn't changed, more than 80 percent of the country's public schools will be "failing" by next year under standards set by current law.

During a speech Monday in Virginia, Obama called on Congress to send him an education reform bill he can sign "before the next school year begins."

In the House, the pressure falls to Kline, whom Boehner tapped in 2009 to take over as the top Republican on the Education and Workforce (then Education and Labor) panel. At 63 and in his fifth term, the retired Marine colonel is a rookie chairman leading a committee flush with new conservative members, including several freshmen who campaigned against the very existence of the Department of Education.

Unlike healthcare and other highly polarized issues Obama has tackled, the seeds of bipartisanship on education have already been planted. The president has won praise from the GOP for some of his reform efforts, including the Race to the Top program, and his Education secretary, Arne Duncan, has forged solid relationships with top Republicans on Capitol Hill.

“We all agree that we need to fix No Child Left Behind,” Kline said. “It’s our common recognition that that status quo is unacceptable, which is pushing us to work in as bipartisan a way as we can to replace that law.”

A former chairman of the Education panel who recommended Kline for the post, Rep. Buck McKeon (R-Calif.), said the urgency was real. “Now we’re up against crunch time, and ’14 is going to come right quick. And everybody’s going to be in panic mode,” he said. “So they better get it done now. Otherwise there’s going to be a real major catastrophe.”

Kline praised the administration’s outreach to Republicans on education, particularly in contrast to its approach to healthcare reform in 2009 and 2010, which the GOP roundly criticized. A “Gang of Eight” Republican and Democratic committee leaders has been meeting regularly on education issues for months, most recently with Obama at the White House last week.

Like other Republicans, Kline singled out Duncan, whom he called “a wonderfully nice man.”

“He’s impossible not to like,” the chairman said. Duncan, he said, began calling him more than a year ago, when House Republicans were in the minority, to discuss No Child Left Behind. In those early conversations, Kline detected a hint of contrition from the presidential confidant at the conclusion of the costly healthcare debate. “He told me that he wanted to do this differently than other legislation,” Kline said. “I don’t think he specifically mentioned healthcare, but that’s the way I heard it.”

In a statement to The Hill, Duncan called Kline “a tireless champion for education reform.”

“He’s a leader I have tremendous respect for, and his vision and commitment to children will be critical as we work to fix No Child Left Behind this year,” he said.

Warm words aside, Republicans and Democrats will have to bridge a considerable philosophical gap over how the parties view the federal role in education. There is near-uniform agreement that the Republican Party of 2011 is not the same as the one that approved the expansive education law in 2001, when Bush made it the centerpiece, along with tax cuts, of his domestic policy agenda.

Boehner then held Kline’s post at the helm of the Education and Workforce Committee, where he helped shepherd Bush’s proposal to passage. But education advocates say that even then, it was clear No Child Left Behind was Bush’s baby, not Boehner’s.

“Boehner, in effect, took Bush’s speech [on education] and wrote it into the law that became No Child Left Behind,” said Jack Jennings, president of the Center on Education Policy. In the years since, Jennings said, Boehner “more or less disowned No Child Left Behind.”

Kline was not in Congress in 2001, but he said that knowing what he knows now, he would have opposed it. “In my mind, they put too large an intrusion of the federal government into K-12 education,” he said. “Speaker Boehner and virtually everyone else has recognized that there’s some very large mistakes in No Child Left Behind.”

A Boehner spokesman, Michael Steel, said the Speaker “is confident Chairman Kline will be a powerful advocate for effective education reforms that increase flexibility, choice and parental involvement.”

On the timing of the overhaul, Kline said he acknowledged to the president that the Senate was moving ahead of the House thus far. The chairman of the Senate Education Committee, Tom Harkin (D-Iowa), has said he wants to introduce legislation by Easter.

“They’re going to move at their pace, and they’re going to have to understand, and I think they do, that we’re going to move at our pace,” Kline said.

The chairman downplayed the policy differences with the 11 new Republicans on the committee, but he said that acclimating them to the issues would take time. “Half of my committee is made up of new members of Congress, so there’s a certain amount of education, and I use that word advisedly, that needs to go on,” Kline said.

Colleagues say Kline’s military background is visible in his leadership style, but that he works to build consensus.

“He’s a very firm guy, but he’s been a very pleasant person to work with,” said Rep. George Miller (Calif.), the committee’s top Democrat and former chairman. “He’s firm, and he’s very good at telling you what he thinks he can do, and what he thinks he can’t do. ... He’s pretty straightforward. I appreciate that.”

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<http://thehill.com/homenews/house/149811-kline-tells-obama-dont-rush-me-on-education->

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