

Hearing on the Miller-McKeon Discussion Draft of the Reauthorization of the Elementary and Secondary Education Act

Testimony to the House Education and Labor Committee

By John Podesta

September 10, 2007

Chairman Miller, Congressman McKeon, and members of the Committee, thank you for inviting me to testify today. I am John Podesta, President and Chief Executive Officer of the Center for American Progress Action Fund. I am also a Visiting Professor of Law at the Georgetown University Law Center.

I appreciate the opportunity to be with you today to comment on the Discussion Draft of the Reauthorization of the Elementary and Secondary Education Act. I commend you for your willingness to seek broad input on provisions to reauthorize the Elementary and Secondary Education Act of 1965 and to move forward in a transparent and bipartisan fashion to enact a renewal of this major program to assist the nation's neediest students. Your challenge has been to make needed adjustments to the No Child Left Behind Act without sacrificing the contributions it has made to strengthening accountability for improved academic performance for all the nation's students and to significantly sharpening the focus on those students who have been historically the least well-served.

Your job is difficult. You have had to contend with many contradictory recommendations from a wide variety of stakeholders. In our judgment, the discussion draft has, in large part, successfully balanced multiple points of view while maintaining a focus on the important goal of helping all students meet proficiency by 2013-14.

The Center for American Progress Action Fund's specific priorities with regard to the reauthorization of ESEA include a combination of strong accountability measures and more incentives for states and school districts to break from their status quo and engage in deeper, more effective change efforts, many of which research has shown can be effective. My specific comments this morning are in four areas:

- Accountability for student results
- Improving the quality of teachers and principals
- Greater attention to high schools, particularly through the Graduation Promise Fund
- The expanded learning time demonstration program for which I first and foremost want to thank Congressman Payne for his sponsorship

The Center for American Progress Action Fund is pleased that appropriate attention to several of our priority areas for improvement in our education system are in the discussion draft. I want to particularly note the following important items:

1. First, with regard to accountability, I have several comments. While not perfect—perhaps perfection cannot be realized in any piece of legislation—the discussion draft strikes a balance between strong accountability and the rightful call for increased flexibility. There are many important new provisions:
 - The inclusion of a student growth measure as an option for states in their accountability systems
 - The requirement that states build longitudinal data systems that track individual student performance over time and tie the results to individual teacher records
 - Continued accountability for and assessment of English language learners and students with disabilities together with increased investments in developing appropriate tests for both groups
 - The establishment of uniform and consistent requirements for the reporting and accountability of subgroups when determining annual yearly progress in student performance

The Center also supports the multiple measures of student performance as they are incorporated in the discussion draft. They appropriately focus on student academic experiences and outcomes. However, it is imperative that these measures not be broadened or loosened so that accountability for all students' achievement remains strong.

We have some concerns about the new local assessment pilot program that would allow up to 15 states to include “as part of the assessment system and in addition to state assessments...locally developed, classroom-embedded assessments” that “may be different across” districts and “may be used” to determine “adequate yearly progress.” The draft says the local assessments are to be “in addition to state assessments” but does not clarify how the AYP process would work and whether the state assessment results would still be publicly reported at the various performance levels for each subgroup. The Center's primary concern is that it may be virtually impossible to ensure the local measures are comparable within a state, even though the language requires this. While we would prefer that this program not be included in NCLB, we have some suggestions for its improvement.

- Reduce the number of pilot states to 10 or less
- Add that the Secretary consider geographic diversity and the mix of urban and rural states in selecting states to participate in the pilot program

- Require pilot states to continue to report student performance levels on state assessments in addition to performance levels on locally developed assessments

2. Second are matters relating to improving the quality of teachers and principals.

Teachers are the backbone of high-quality public education. Strengthening the teacher workforce can lay the foundation for fruitful investments in other areas of public education. Research demonstrates that the single most important factor determining how much students learn is the quality of their teachers. In this draft, you have taken important steps to improve the nation's teaching force.

- You have added to Title II a very important new Part A discretionary program for states to strengthen teacher effectiveness through use of extra pay for success with student achievement gains, introduction of career ladders, and support for performance assessments. In order to attract and retain highly effective teachers and principals, there is a great need for targeted investments like this to incentivize change in our public education system. We all need to acknowledge that job structure and financial rewards are important motivators for employees no matter what their profession. Currently, too little attention is paid to creating the financial incentives necessary to recruit and retain a high-quality teacher workforce. We need to change that by offering competitive compensation that recognizes and rewards different roles, responsibilities, and results.
- In Part B of Title II you have redesigned the formula grants to direct funding to correct the inequitable distribution of effective teachers to high-poverty and high-minority schools and sharpened the focus on higher-quality professional development targeted to the most needy schools. Today low-income and minority students are about twice as likely to be assigned to inexperienced teachers who on average make far smaller annual learning gains than more experienced teachers. As a result, low-income, African American, and Latino children consistently get less than their fair share of good teachers. This must change, and your proposals provide a strong push to do that.
- In Title I the closure of the comparability loophole is also vitally important to ensure that high-poverty schools get their fair share of resources to hire and retain effective teachers and to undertake other important school improvement strategies. Under the existing loophole, teaching salaries were excluded from determinations of equity in expenditures in district schools from state and local funds before directing additional Title I funds to them. This results in the continuation of lesser resources going to schools with the greatest needs.

3. We are also very pleased with the new attention to high school completion in Title I..

- We commend you for the addition of a Graduation Promise Fund. It is well established that our students have fallen behind past generations of Americans and young people in other nations in terms of on-time high school completion rates. For decades now, the U.S. on-time graduation rate has failed to top 70 percent. This is below national graduation rates recorded in the middle of the 20th century and well below current graduation rates in other countries. The United States ranked first in the world in terms of secondary school graduation rates 40 years ago. Today it ranks 17th. For racial and ethnic minorities, the statistics are even grimmer. Graduation rates for African American and Hispanic students today range between 50 percent and 55 percent. Every year we lose more and more of these students in schools that are essentially “dropout factories.” The Graduation Promise Fund will provide critical federal resources to aid states in their efforts to develop, implement, and expand proven methods for keeping a diverse range of students in school and on the path to economic success. We urge you to distribute the Fund dollars through a poverty formula that directs funds solely on the basis of the poverty level of a high school rather than its dropout rate to ensure that there is no incentive for keeping dropout rates high in order to continue to receive funds.
 - We also applaud the requirement for consistent definitions of high school graduation rates and meaningful inclusion of these rates as part of Annual Yearly Progress measures. Without such a strong definition, too many high schools have been judged to make AYP in student performance while simultaneously having very high proportions of dropouts.
4. Finally, I want to address and encourage your support for the Expanded Learning Time and Redesign demonstration program that has been included in the discussion draft of Title I as Part J. The Center developed this proposal with our partner organization Massachusetts 2020 and thank Congressmen Donald Payne, George Miller, and Howard McKeon for their support of this issue.

The demonstration program will provide federal incentives to districts and states to expand learning time in low-performing, high-poverty schools to boost student performance, close achievement gaps, and expand enrichment opportunities. Based on successful efforts in several leading charter schools and a growing number of traditional schools, we know that a comprehensive approach to school reform that adds time to school days, weeks, and/or years can result in significant learning gains for disadvantaged youngsters. The demonstration program requires such a comprehensive approach that focuses on both core academics and enrichment, facilitates innovation, maintains rigor and accountability, builds partnerships with other local organizations, and provides teachers with additional professional development and planning opportunities. The demonstration program also contains a strong evaluation component that will measure its impact

on student achievement and, if successful, make the case for expansion of such efforts with state and local investments.

In closing, upon refining this discussion draft I urge the Committee to move carefully but quickly into formal consideration of the reauthorization of ESEA. It is imperative that the law be reauthorized and signed into law before the end of 2007 to build on the momentum of this important bipartisan effort to improve educational opportunities for all students.