



Testimony of Michael Cohen
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Thank you Mr. Chairman and members of the Committee, for giving me the opportunity to comment on portions of the Discussion Draft proposal for the reauthorization of No Child Left Behind.

Since the early 1990's the concept of rigorous state standards and well aligned assessments have provided the foundation for the nation's sustained efforts to improve achievement for all students. Achieve is an independent nonprofit organization that has worked with states over the past decade to help increase the rigor of state standards and the alignment and quality of state tests. In the past several years we have formed the American Diploma Project Network, a partnership of thirty states dedicated to aligning high school standards, curriculum, assessments and accountability with the academic knowledge and skills needed to succeed in postsecondary education and careers. I will draw on Achieve's decade of research and experience in standards based reform to comment on a handful of key provisions in the Discussion Draft, with the objective of suggesting ways this reauthorization can help improve the quality of state standards and assessments. Many of the provisions I address already take important steps in that direction. My focus here will be to suggest ways they can be strengthened.

Postsecondary and Workplace Readiness

The draft recognizes the importance of encouraging states to align high school standards with the knowledge and skills needed for success in postsecondary education and work. This is essential work for every state to undertake. Our research shows that, up until recently, state standards, assessments and curriculum requirements nationwide fall well short of preparing young people for what they will face when they complete high school. In short, when states today tell students they are "proficient", they have no basis for assuring them, postsecondary institutions or employers that they are prepared for what they will do after completing high school.

Through the American Diploma Project Network, more than 20 states are working closely with Achieve to align end-of-high-school standards with the academic skills needed for success in postsecondary education and work. By the end of 2007 we expect that approximately 15 will have completed revising end-of-high-school standards in math and/or English Language Arts, and nearly half have already done so.

Based on what we have learned from working with these states, I would recommend three changes to better ensure that states appropriately define standards that reflect college and work readiness. One is to require that the effort be a joint undertaking of the governor, state education agency, state postsecondary agency and system, and employers, rather than the sole responsibility of the state education agency. The second is to require that the state postsecondary system and employer validate that the resulting standards reflect readiness, and that the postsecondary system in particular will use the results of an 11th grade test aligned with these standards to make decisions about placing students in credit-bearing vs. remedial courses. Absent these requirements, our experience in working with nearly 30 states suggests that postsecondary institutions and employers will see little value in the resulting standards and assessments. These two requirements may be difficult to accomplish within the ESEA reauthorization, but I believe it will be important to do this in order accomplish to objective we share.

Third, an independent review to determine whether the resulting standards and assessments are well aligned is a good idea. However, this is largely a technical task, and is not likely to be performed well by a broadly representative panel. Groups such as parents and educators must be involved in the process, and generally are through the normal process states already have in place when developing, revising and adopting state standards. It would be appropriate for the bill to require their participation in this process, but not as technical reviewers.

The provision provides an important incentive for states to participate in this effort, by tying access to funds provided under the Performance Assessment Demonstration Program to participation in this initiative. Unfortunately, it also creates two powerful disincentives to participation and may therefore not accomplish its intended purpose. The requirement that states have new, well aligned assessments in grades 3-8 and high school in place within two years of completing the standards revision process is unrealistic, though the intent of promoting speedy test development is appropriate. Three years is a more realistic though still tight timeline, and some states may need additional flexibility depending upon when current contracts with test vendors are set to end.

For states that do create systems of standards and assessments aligned with the academic demands of postsecondary education and work, the resulting standards and assessments will be more rigorous than what is currently in place. This has almost uniformly been the case in the ADP Network states. As a result, states and schools that are now barely on track to meet the current AYP requirement of 100% proficient by 2014 will face a higher bar to meet, and a looming deadline to do so. To ensure that states take on the important work of setting rigorous, real world standards for all students, this legislation should recognize the simple fact that reaching higher standards will take more time, and allow for it.

The Education Trust has developed a proposal that would give states that can demonstrate, and validate, that they have developed standards for postsecondary and workplace readiness the ability to set a new 12-year timeline and adjust proficiency targets such that 80% of high school students would need to demonstrate proficiency at a

level that indicates preparation to enter and succeed in credit-bearing courses in four-year colleges and universities, and 95% of students demonstrate basic achievement pegged to entry into postsecondary education, service in the military, and access to formal employment-related training. Meeting these targets would require substantial improvement over current performance levels. I believe that an incentive of this type is both appropriate and necessary to spur needed action in all 50 states, and strongly encourage the Committee to adopt it.

State Performance Assessment Pilot

The pilot program established in Title VI, providing funds for up to ten states or consortia of states to develop statewide performance assessments is an important step to improving the quality of state assessment systems, and enabling states to better measure knowledge and skills that are valued by both employers and postsecondary faculty. This program can help state create assessment systems that are better geared for the global economy students will face, and for well informed civic participation. For example, good performance assessments can measure such communication skills as writing, making oral presentations and using technology, which are difficult if not impossible to measure on large-scale on demands tests currently used to meet NCLB requirements. Good performance assessments can also measure how well students are able to apply the knowledge and skills they have learned in the classroom in real world situations, and help promote instruction aimed at the application as well as acquisition of academic skills. Performance assessments are also particularly important to ensure that students gain a deep understanding of scientific inquiry in addition to the scientific content they are taught. Some states are gaining experience in the use of performance assessments, but the support provided through the proposed pilot program can help more states do so.

This pilot program is well designed. The requirements that states develop assessments that are aligned to state standards and that the same measures that can be used for all students are extremely important. These provisions are necessary to ensure that all students in the state are held to the same standard, and that the state accountability system is based on the appropriate measures. The clarification that state test used for AYP can be administered throughout the year is also very important. It means that states will not need to include all constructed response items and performance tasks in the end-of-year testing window. Instead states can consider moving the multiple choice portion of their tests closer to the end of the year, and spread other tasks out over the course of the year. States should take advantage of this opportunity to test the feasibility of having richer assessments without delaying the reporting of the results.

I strongly encourage the Committee to retain this provision without change, and to work to ensure it is included in the final bill and funded appropriately.

Pilot Program for Locally Developed Assessments

In contrast to the state pilot program addressed above, I don't believe that this pilot program is a good idea. I am aware that some other countries, including high performing countries, rely on local assessments in ways that we do not.. Most high performing countries – with national, state or local assessments – operate education systems in a far

more coherent policy environment than we do in the U.S., and take different approaches to accountability, professional development for teachers and principals, and other key features of the education system than we do. Consequently, I believe the weight of the evidence of what is likely to happen in the U.S. if this provision is enacted is decidedly more negative than positive, for several reasons.

Since Congress enacted the 1994 Improving America's Schools Act, a fundamental principle of education reform nationally has been the idea that all students and schools in each state should be held to the same standards, as measured by the same test. This has helped make the standards-based reform movement an important tool for improving education equity, and for ensuring that expectations are not watered down for students in high poverty districts. This proposal for local assessments would signal a retreat from that principle, and once enacted would be difficult to reverse.

It will be difficult if not impossible for states to assure that different local assessments are each well aligned with state standards, and permit the appropriate comparisons among schools and districts for AYP purposes. To really meet this standard, it would not be enough for different tests to be statistically "equated" in some manner. Nor would it be sufficient to ensure that local development procedures complied with state and federal requirements. It would be necessary to determine, for each item and/or performance task, the content that was being measured, the cognitive process that was being called form and the level of challenge for each item, and to determine overall how well the collection of local items in each test aligned with state standards. This is not a procedure that states currently use. Achieve has developed and utilized this approach for two recent studies, of high school graduation tests and of widely used college admissions and placement tests. The methodology is strong enough as a research tool to enable us to draw some basic comparisons across different tests. It is not strong enough to ensure the level of consistency in both the content being measured and the cut scores being used to define "proficient" that is required for different tests used for determining if schools make Adequate Yearly Progress.

Consequently, the use of different local assessments will inherently paint a confusing picture of student and school performance when test results and AYP determinations are made public. The current provisions for defining AYP are already complicated enough for many. The proposed step may well undermine the very notion of "proficient", which is at the core of NCLB. One need only think of the confusion generated when state test results are compared with NAEP results, demonstrating wildly different pictures of the level of proficiency in each state.

Finally, there is growing state interest in developing common assessments across states, on a voluntary basis. Nine states have recently joined together to develop a common end of course exam in Algebra II, and additional states will soon participate as well. This common test is enabling the states to have an exam that is more rigorous, higher quality and less costly than if each did that on its own. Given persistent concerns about the cost of testing, this local assessment provision moves in precisely the opposite direction. It

will lead to tests that on average are less rigorous, more costly, and that provide no meaningful comparative information.

My strong recommendation is to drop this provision from the bill. If the Committee decides to keep it, I recommend that it be applied to only a handful of states, and that the Secretary not be give the authority to expand it beyond the pilot phase in this reauthorization.

System of Multiple Indicators

Multiple indicators of academic performance allows for a more complete and revealing picture of each school's strengths and weakness. Accountability assessments in additional subjects are a particularly good idea, as they can combat the trend toward narrowing the curriculum that rightly concerns many educators, parents and policymakers.

The Committee is to be commended for taking up this approach. However, I believe the approach in this bill needs to be strengthened considerably, in order to produce the desired results. Because the provision enables schools to partially compensate for poor performance on some subjects or for some subgroups with performance on other subject matter tests or indicators. I believe it will paint a confusing picture to educators and the public, and set up incentives for states and schools alike to figure out ways to game the system in order to reduce the number of schools that fail to make AYP.

Using performance on tests in subjects beyond math and reading in an additive rather than a compensatory manner is a better idea. It underscores the important of teaching all students a broad rigorous curriculum, and doing this well. It provides a more transparent and easily understood picture of how well a school is doing.

Of course, taking an additive approach with the current AYP requirements will undoubtedly result in a larger number of schools failing to make AYP, now or in the near future. But the state's objective and each school's objective, should be to teach all students what they need to know, not to figure out accounting gimmicks in order to manage the number of schools identified.

To resolve this dilemma in a straightforward manner, states that chose to add additional tests in additional subjects should be required to do so in an additive manner, but for the law to recognize that setting a more rigorous bar in more subjects will likely take many schools longer to reach 100% proficient than if they continue to focus so heavily on reading and math. Therefore, I recommend that states that take this approach be given additional time to reach the proficiency target, as I recommended above.

Disaggregation of Results

I would like to commend the Committee for retaining the requirements for disaggregating required accountability indicators. This has been one of the most significant features of NCLB, and should be retained. The proposed provision that tightens up the use of

confidence intervals when disaggregating data is also important, and should be retained as is.

Conclusion

In conclusion, most of the provisions I have addressed here will, or have the potential to, strengthen state systems of standards and assessments, and can better help schools focus on the skills students need to be prepared for what they will face after high school.

Thank you again for the opportunity to offer my views on these issues. I look forward to answering any questions you may have.