



House Committee on Education and Labor
**“Miller-McKeon Discussion Draft of the Reauthorization
of the Elementary and Secondary Education Act”**

**Governor Bob Wise, President, Alliance for Excellent Education
September 10, 2007**

- Thank you for inviting me to share our thoughts on this Discussion Draft to reauthorize Title I of the No Child Left Behind Act.
- I admit that as Governor, I seriously considered suing to enjoin the law. I didn't end up doing so, and over time, I have learned that it would have been a mistake to resist a law that despite all its flaws, was intended to put a spotlight on the startling achievement gaps and provide all children, including poor and minority children, with access to a high-quality education.
- Ironically, I've come to appreciate the values behind NCLB, at the same time that I've learned that it doesn't do much to address what is a significant crisis in this country – the millions of students who are leaving our high schools, with or without a diploma, unprepared for their future.
- We know that only 70 percent of all students graduate on time with a regular diploma four years later. We know that even fewer graduate college-ready. And we know that these numbers are far worse for poor and minority children.
- We also know that the failure to graduate from high school college- and work-ready has consequences for those students, their communities, and our economy.
- That is why, for the moral, civil rights, educational, and economic reasons, my organization, is dedicated to the mission of helping make every child a graduate prepared for success in the 21st century.
- NCLB was basically designed to address grades K-8. As a result, it is often neglectful of or even at odds with what is known about low-performing high schools.
- We are pleased that this Draft has built off the work of best practice, research, and some of the bills already introduced by Members of this Committee, to take a huge step forward for high school reform at the federal level.
- It provides thoughtful approaches to aligning the goals of high school graduation with college and work readiness, more accurately identifying low-performing high schools and providing for both accountability and support to turn them around.

Specifically:

HIGH SCHOOL IMPROVEMENT

- **NCLB:** High school accountability must be tied to support for high school improvement. Unfortunately, NCLB's improvement strategies are only triggered by Title I funds and so few high

schools receive those funds. Also, the required actions under NCLB—school choice and supplemental education services (SES)—do not work to improve high schools for a variety of reasons.

- **DRAFT:** We are pleased to see the Draft recognize that high school improvement is not a one-size-fits all process that can be addressed with those two mandated strategies. The Draft builds off of Rep. Hinojosa’s *Graduation Promise Act* to provide a more thoughtful approach to high school improvement and authorizes a new Graduation Promise Fund to support those efforts targeted to the lowest performing high schools.
- **TO IMPROVE:** Our submitted comments provide detailed recommendations on how to strengthen the school improvement process to better reflect what is known about high school turnaround, including:
 - Strengthening the turnaround timeline, improving the whole school reform language, and tightening the redesign options.
 - Allowing districts to use Graduation Promise funding for systemic high school strategies in addition to whole school reform.
 - Providing more “checks and balances” for high school improvement at the state level by using state-developed interim indicators in addition to AYP to inform the school improvement process; and
 - Allowing use of high school SES funds for dropout prevention and recovery activities.
 - Creating a separate fund to turn around low performing middle schools by including Rep. Grijalva’s bill.

COLLEGE AND WORK READINESS

- **NCLB:** NCLB set the goal of all students proficient by 2014, and requires annual improvement toward that goal. Unfortunately, the currently-used state tests often measure 10th grade proficiency, not college- and work-readiness. And the failure to include “college- and work-ready graduation” as an accompanying goal created many perverse incentives.
- **DRAFT:** We applaud the committee for the clear statement in this Draft that college and work readiness is the goal to which everything else should be aligned.
- **IMPROVE:** However we believe that a common set of standards and assessments would provide significant benefits in terms of equity, efficiency, and educational outcomes. We look forward to working with you to strengthen the incentives for states that choose to work together to establish and adopt common standards and high quality assessments aligned to 21st century skills and knowledge.

MEASURING GRADUATION RATES

- **NCLB:** Under current law, graduation rates are not defined consistently, disaggregated by subgroup, or required to improve significantly over time in the same that test scores are. It’s as if we are clocking runners in a race every mile but then do not pay attention to whether or not they cross the finish line. As a result, AYP is undermined as a useful tool for holding high schools accountable for improving student outcomes and identifying high schools that need assistance. The best example of this is the high percentage of dropout factories that actually make AYP.
- **DRAFT:** We were very pleased that this Draft builds off of Representative Scott’s *Every Student Counts Act*, to clearly define a common graduation rate and require meaningful increases in those rates in the accountability system for high schools. These shifts are critical to making AYP a more accurate measure of high school performance and tool for identifying low-performing high schools.
- **TO IMPROVE:** However, the Draft would allow states to propose alternate ways for graduation rates to be used as part of AYP. We are concerned that this would undermine the Draft’s otherwise clear and comparable approach that requires aggressive, attainable improvement.

OTHER ISSUES:

- **Data Systems:** We applaud the committee for focusing on using data to inform decisionmaking throughout the Draft, as well as the support for building and using statewide longitudinal data systems. Good data and data systems are critical to many of the other requirements of the Draft. We've submitted comments to improve some provisions in the Draft related to student privacy that restrict the use of data beyond current policies, and move in the opposite direction of where we want to go.
- **Multiple Measures:** We are concerned that the use of multiple measures of high school performance contemplated in the Draft might cloud AYP with indicators that are less uniform, objective and measurable.
- First, some of the indicators permitted in the Draft as part of AYP (including college enrollment information, dropout rates, and end-of-course testing) are vulnerable to inaccuracies and gaming. Given the lack of information and understanding about what a highly-accurate multiple measures accountability system would look like, we suggest creating a pilot program to allow us to learn from the efforts of states that are prepared to design such a system, before expanding the option to every state.
- Second, the "multiple measures" option would provide "extra" points towards the proficiency category by showing graduation rate gains. This might encourage schools to graduate unprepared students. Instead, graduation rates and proficiency on a college- and work ready assessment should be weighted equally to provide balanced incentives for raising test scores and graduation rates.

CONCLUSION

- Thank you again for creating such an open process and providing this opportunity to comment on the Draft.
- As a former member of Congress, I certainly appreciate the process in front of you as you attempt to reauthorize NCLB. Like most laws – the devil is in the details, there are adamant advocates on opposing sides of many issues; you and your staff are doing an incredible job of moving this forward.
- This Draft is a promising first step toward a reauthorization that has the opportunity to leverage powerful and necessary change in our nation's high schools.
- We look forward to continuing to work with you to ensure that this reauthorization helps to move us all from "no child left behind" to "every child a graduate."