

***Elementary and Secondary Education Act Reauthorization:
Improving NCLB to Close the Achievement Gap***

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Chairman Miller, Chairman Kennedy, Ranking Member McKeon, and Ranking Member Enzi, thank you for this opportunity to testify today about strategies for improving the No Child Left Behind Act. My name is Elizabeth Burmaster; I am the elected Wisconsin State Superintendent of Public Instruction, and I am testifying today in my capacity as the current President of the Council of Chief State School Officers (CCSSO).

CCSSO is a nonpartisan, nationwide, nonprofit organization of public officials who lead departments of elementary and secondary education in the states, the District of Columbia, the Department of Defense Education Activity, and five U.S. extra-state jurisdictions. Our members are immersed daily in the implementation of the No Child Left Behind Act (NCLB) and have taken the lead in transforming NCLB from policy to practice over the last five years, including leading the effort to develop state standards, state accountability systems, state assessments, and state teacher quality requirements in addition to meeting many other responsibilities.

When Congress enacted the No Child Left Behind Act in 2001, state education reform efforts were uneven. Five years later, through strong state and local leadership, NCLB's core foundational reforms are widely in place. Now, we must build on those foundations with real innovations and new investments to dramatically improve student achievement, close achievement gaps, and prepare all students and our nation for success in an interconnected, 21st century world.

To accomplish that goal, the reauthorized Elementary and Secondary Education Act (ESEA) must evolve to fit with the next stage of standards-based reform, shifting from the law's current focus on prescriptive compliance requirements to a dynamic law

focused on providing real incentives for innovative state and local models – along with fair and meaningful accountability for results. Innovation and rigor must be the foundation of the state and federal partnership if we are to achieve our nation's education goals. Reauthorization of ESEA must support this partnership and empower state and local efforts to prepare our children to compete in the 21st century.

Under NCLB, state education agencies implement the law's education reforms by requiring, among other things, state assessments, state accountability systems, state interventions, state teacher quality, state standards, and state data systems. Congress cannot ask states to continue to drive the education reform process without giving them authority and capacity to lead. The U.S. Department of Education strictly enforced the rigid prescription of the current language of the law. Chief State School Officers have been the first to see how this rigid prescription has worked against the intent of the law in many cases. The intent is to raise student achievement and build community support for reform efforts to close the gap in achievement that exists throughout our country. The next generation of NCLB must ensure state agencies have the ability to improve their education systems by building on the strengths and assets that have proven to be successful in their state at the local level.

Last year CCSSO issued a high level ESEA reauthorization policy statement announcing three principles that must guide the reauthorization process and provide the basis for a new state-federal partnership. This partnership must include: (1) continued support and increased focus on innovation and autonomy with regard to the foundations of standards-based reform, (2) a greater focus on building state and local capacity to improve learning opportunities for all students and to intervene in consistently low-performing districts and schools, and (3) increased investment in research, evaluation, technical assistance, and collaboration to help inform state and local efforts to improve student achievement and close achievement gaps.

In January, CCSSO announced eight recommendations meant to operationalize these three core themes within the context of NCLB. We believe these recommendations are

necessary to update and improve ESEA to reflect the current – not prior – education landscape and most importantly to ensure that all students are prepared in the future for postsecondary education, work, and citizenship in the 21st century.

The eight recommendations are as follows:

INNOVATIVE MODELS and PEER REVIEW: The reauthorized ESEA should encourage, not stifle, innovation, and it should improve the peer review process to make it a true state-federal partnership. In that spirit, the law should be amended to remove and recast NCLB's current "waiver" authority to indicate that the Secretary "shall" approve innovative models where states can demonstrate, through a revised peer review process, good faith, educationally sound strategies to raise the bar for standards-based reform. States must have a role in the selection of qualified peers, and we should ensure the process focuses on technical assistance, full transparency, real communication and dialogue with states, consistency in peer review standards and outcomes across states, timeliness of feedback and results, dissemination of promising practices, and more.

ACCOUNTABILITY: The reauthorized ESEA should encourage use of a variety of accountability models focused on individual student achievement that build on adequate yearly progress (AYP) to promote more valid, reliable, educationally meaningful accountability determinations. Among other things, the new law should ensure states' right to use true growth models to complement status measures (to follow the progress of the same students over time at all performance levels).

DIFFERENTIATE CONSEQUENCES: The reauthorized ESEA should encourage a full range of rewards and consequences for districts and schools that differ appropriately in nature and degree, based, for example, on whether schools miss AYP by a little versus a lot. In that context, the new law should permit states to exercise appropriate judgment and differentiate both accountability determinations and consequences based on sound evidence.

IMPROVE ASSESSMENT SYSTEMS: The reauthorized ESEA should encourage, though not require, use of a variety of state and local assessment models. CCSSO urges Congress to amend NCLB to permit states to promote the use of multiple state and local assessments (including assessments that can show growth at all levels) and ensure states' right to vary the frequency and grade spans of assessments. CCSSO also urges Congress to provide continued support for states to strengthen assessment systems.

STUDENTS WITH DISABILITIES: The reauthorized ESEA should encourage inclusion of students with disabilities in state assessment and accountability systems in a manner that is most meaningful for the full range of students with disabilities, based on ambitious but educationally sound performance goals and measures. In this context, the new law should permit use of alternate assessments measured against alternate/modified achievement standards based on individualized growth expectations across grade levels as needed for some students.

ELL STUDENTS: The reauthorized ESEA should encourage inclusion of ELL students in state assessment and accountability systems in a manner that is most meaningful for the full range of ELL students, based on ambitious but educationally sound performance measures and goals. The new law should permit states to properly include new immigrant ELL students in school accountability based on multiple measures for several years, where educationally appropriate. The law should also allow the use of a full range of alternate assessments and value individualized growth.

ENHANCE TEACHER QUALITY: The reauthorized ESEA should create incentives for states to create the best teaching force in the world by continuously improving teacher quality, supporting best-in-class professional development, and encouraging use of individual pathways to pedagogical and subject matter expertise. The law should incentivize continued improvement in teacher quality in a meaningful manner. Recommended changes include counting newly hired teachers (particularly rural,

special education and ELL teachers) as “highly qualified” when they meet standards in their primary subject areas and are on a pathway (of no more than three years) with regard to additional subjects based on HOUSSE.

STRENGTHEN RESOURCES: The reauthorized ESEA should retain and provide additional funds at the state level that appropriately reflect the increased roles and responsibilities placed on states under ESEA. The law should authorize additional, long-term, consistent funding for state education agency action and intervention in underperforming districts and schools. This includes key areas such as state assessments (particularly including alternate assessments and English proficiency assessments), state data systems, technology, and research and development to inform state and district efforts.

As the leading education officials representing 49 states and five territories, we intend to work hand-in-hand to achieve these eight critical ESEA priorities, and we look forward to working with Congress and our partners in the education community to implement the next generation of standards-based reforms.

Moving from NCLB to *every child a graduate* will require strong state leadership and action from all levels of government, and beyond. This includes a new and meaningful state-federal partnership – one in which states and districts constantly improve and innovate and are supported by federal law. By working as true partners, we believe we can make a major difference in the lives of every student.

These eight important areas represent our core reauthorization priorities, but we acknowledge that other vital issues must be addressed during the reauthorization process, and we are open to lending our experiences and expertise to the broader debate about how to improve and build upon No Child Left Behind.

Thank you for your leadership on these important issues. I look forward to responding to any questions you may have.