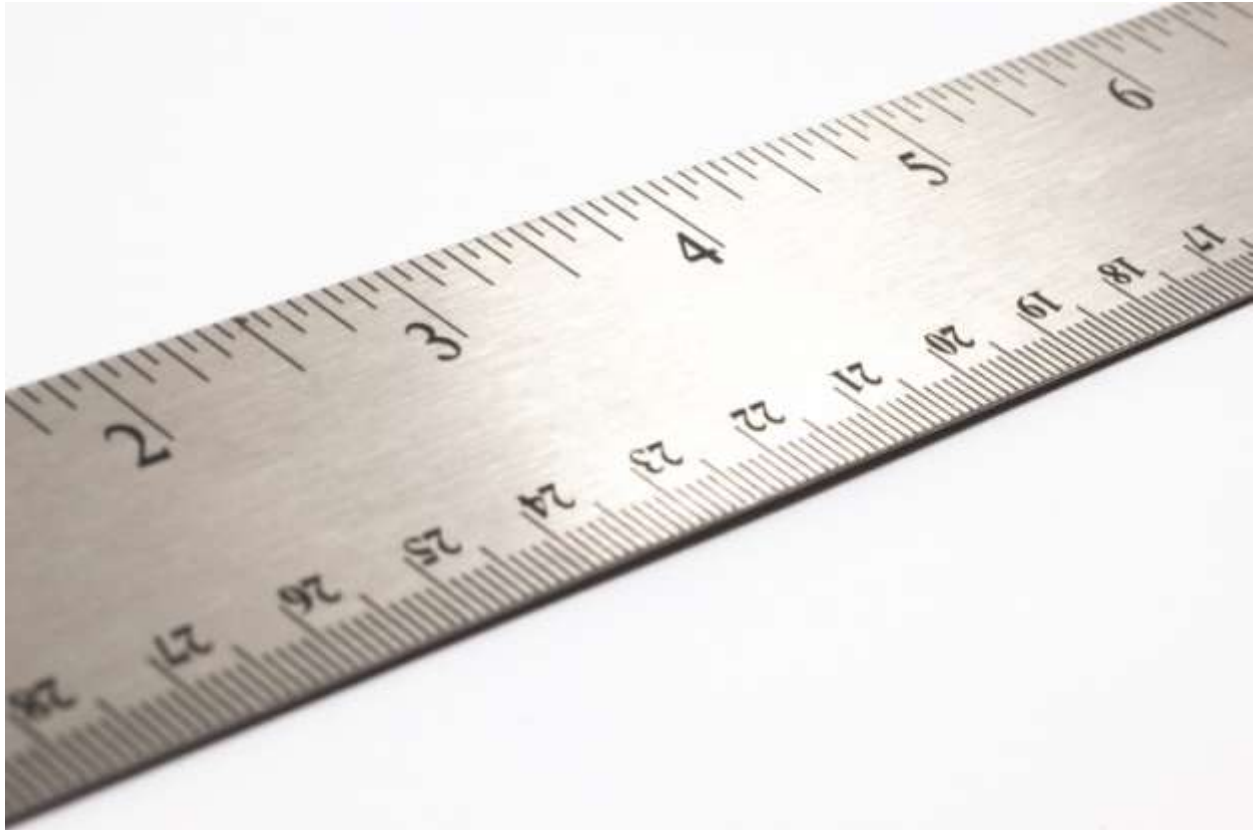


Keeping Achievement Relevant: The Reauthorization of 'No Child Left Behind'



DEMOCRATS *for* **EDUCATION REFORM**

Policy Briefing Memo

September 28, 2007

DEMOCRATS for EDUCATION REFORM

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Democrats for Education Reform aims to return the Democratic Party to its rightful place as a champion of children in America's public education systems.

The views expressed in this briefing memo are those of the author and do not necessarily reflect the views of Democrats for Education Reform.

September 28, 2007

The 2001 passage of the federal act which was called "No Child Left Behind" marked an important turning point in the history of federal involvement in American education.

Never before had such a strong connection existed between billions of dollars worth of well-intended investments at the federal level, and any indications at all that students from low-income homes were actually benefitting academically.

But as Charles Barone reminds us in this Democrats for Education Reform Policy Briefing Memo, this was not a law which just suddenly appeared out of thin air. In this report, Barone traces movements back to the both the landmark 1954 Brown vs. Board of Education ruling from the Supreme Court and the original Elementary and Secondary Education Act of 1965. He describes the 1960's era frustration from Democrats like Sen. Robert F. Kennedy over a lack of accountability in the original Title I legislation, and describes how an eager Governor (and later President) named Bill Clinton played a role in creating the framework that we see in NCLB today.

Barone, a longtime aide to Rep. George Miller (D-California) who served as the top Democratic staffer in the House Education and Labor Committee back when NCLB passed with Democratic and Republican support, not only reminds us how we got here but offers significant caution about what it would mean for millions of children if we moved backward during the current reauthorization process.

What happens in the coming weeks and months with NCLB will play a crucial role in determining whether we make good by our commitment to ensure that every child in this country has a chance to learn the basic academic skills they will need to succeed in American life.

For more information about our organization and how you can help, visit our web site at www.dfer.org.

Keeping Achievement Relevant: The Reauthorization of 'No Child Left Behind'

By Charles Barone

No Child Left Behind, when it was signed by President Bush in January of 2002, seemed like it came out of nowhere. The bill established many key reforms unprecedented in federal law:

- **Testing requirements** - For the first time, federal law would require that all students in grades 3-8 be tested annually in reading, writing, and mathematics.
- **Closing of achievement gaps** - All children, poor children, minority children, those with disabilities, and English Language Learners, would be required to reach proficiency in math and reading within 12 years.
- **Accountability for results** – Schools that did not meet their goals would be required to undertake efforts to improve: provide students with public school choice and after-school tutoring, train teachers, and overhaul curriculum. Schools that did not meet their goals for six consecutive years would have to pursue more fundamental change, such as hiring new administrators and teachers.
- **Teacher qualifications** – Teachers in federally subsidized schools would have to be trained and certified and have demonstrated expertise in their subject areas.

These changes were new. But the legal and statutory precedents for these changes went back more than half a century. This DFER briefing memo looks to the past to show how NCLB

finally put 50 years of education reform efforts and ideals into one federal statute. It shows how, over this time period, the federal government shifted its emphasis from ensuring that all children have access to equal educational opportunity, to providing targeted resources to schools to achieve that equalization, to setting clear accountability guidelines that sought to link these targeted resources to real changes in student achievement.

It is hoped that this paper will serve as a guide to the major political and policy themes that will emerge in the current NCLB reauthorization process.

Equal Educational Opportunity As A Civil Right

In 1954, the Supreme Court ruled 9-0 in the case *Brown v. Board of Education* that providing children with schools of varying quality according to their race was unconstitutional. The landmark decision overturned the Court's previous ruling (*Plessy v. Ferguson*, 1896) which had established the "separate but equal" principle for deciding whether minorities were getting their fair share of the societal pie.

The Court's unanimous ruling reads as follows:

"...it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms."

<http://www.brownvboard.org/research/opinions/>

[347us483.htm](http://www.dfer.org/347us483.htm)

The Brown ruling was crystal clear in its intent. But efforts to fully implement it continue today. Suffice it to say that: 1) Change of this magnitude is exceedingly difficult; 2) Systems in general and school systems in particular are resistant to doing things differently; and, 3) It has taken, and will continue to take, creativity and persistence to achieve anything like the grand ideal of equality articulated by the Warren Court in 1954.

The First Elementary and Secondary Education Act

Fast forward to 1965. President Johnson, under the umbrella of his Great Society initiative, signs the Elementary and Secondary Education Act of 1965 (ESEA). ESEA is not the first foray of the federal government into the elementary and secondary education arena (see, for example, the vocationally-oriented Smith-Hughes Act of 1917), but it marks a major change in federal education policy in at least two major respects: 1) Its focus on academic basics and instruction, rather than job skills and training and 2) Its intended beneficiaries are poor and minority children, who all evidence and precedent establish as the most in need of federal support.

Charles Barone is an independent consultant on education policy issues. From 2001-2003, he was Democratic Deputy Staff Director for the House Education and Labor Committee under Congressman George Miller, prior to which he served as Miller's Legislative Director from 1997-2000. He first came to Capitol Hill as a Congressional Fellow in 1993 and subsequently became Chief Education Advisor to Senator Paul Simon. Before coming to Washington, Barone was a fellow in the Department of Psychology at Yale University

Many people, even some education policy experts, think ESEA 1965 was only about “inputs,” i.e., targeting resources, such as money and quality teachers, to the highest poverty schools. It was about “targeting,” but it wasn’t only about that, at least if one judges by the stated intent of its authors. At least some of ESEA’s original authors envisioned a program which targeted resources but also coupled them with accountability for results.

The following remarks from Senator Robert Kennedy suggest that the idea of an NCLB-type outcome-driven education system is not one that originated in the year 2000:

In 1965 Kennedy said that he expected: "good faith administration effort to hold educators responsive to their constituencies and to make educational achievement the touchstone of success in judging ESEA."

In 1965 Kennedy demanded accountability: "I do not think money in and of itself is necessarily the answer. I have seen enough school districts where there has been a lack of imagination, lack of initiative and lack of interest in the problems. . . My feeling is that even if we put money into those school districts, then it will be wasted."

In 1965 Kennedy even called for "*some testing system* [emphasis added] that would be established [by] which the people at the local community would know periodically as to what progress had been made."

www.ed.gov/news/speeches/2001/12/20011219

In sum, the seeds for NCLB 2001 were planted 36 years earlier: federal resources, targeted at the poorest children, with an expectation of results in the form of student achievement.

Holding Pattern: 1970-1988

The Elementary and Secondary Education Act was “reauthorized” (Washington parlance for the

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renewal, revision, and extension of laws already on the books), on average every six years subsequent to its original passage in 1965. NCLB 2001 is the most recent reauthorization of ESEA 1965.

The 1970s and ‘80s brought many changes to ESEA, but most of those twists and turns are beyond the scope of this paper. The overarching point: The original intent and focus of the law was left intact. Funds were targeted at poor children, although they were spread more or less around to satisfy the political needs of members from districts with more socioeconomically heterogeneous populations. The goal was to ensure that poor and minority students would have educational opportunities equal to those of their more advantaged peers, just as had been called for by the Supreme Court in 1954.

Although incremental progress had been made, no one was under any illusion that the goal was even close to being achieved.

Reflecting conservative ambivalence about the federal role in anything in general and education

in particular, President Ronald Reagan, in the 1980s, attempted to knock down the law a few notches.

At the symbolic level, he insisted on changing the name of the core part of the law from “Title I” to “Chapter 1” (Chapters are secondary to titles in federal statutes just as they are in books). The change irritated Democrats but it had little practical effect.

Reagan also persuaded Congress to establish a “block grant” program dubbed “Chapter 2,” driven by the assertion that the federal law was too prescriptive and heavy-handed. In reality, Title I/Chapter 1 always had been essentially a block grant program. One would be hard pressed to argue what a school could not do under Title I as long as it involved providing instruction to children or professional development to teachers. (Not that people didn’t try. The list of “bad decisions” - e.g., the purchase of a swimming pool or lavish junkets by educators - in the use of federal education funds, including Title I, is long.)

The problem with block grants is both political and substantive. Politically, block grants have no constituency. At least Title I is allocated by a formula based on a school’s concentration of poor children. That is something that members of Congress and advocates for poor and minority students can get behind. Block grants are allocated according to population. The money is spread around thinly. Nobody gets enough money to worry too much about lobbying for more. As a result, Chapter 2 funding stayed relatively stagnant.

Since the purpose of block grants is so broad, it is hard to get a handle on whether the federal government is getting an adequate return on its investment. Anyone can express dissatisfaction with a block grant because block grants have no clear and specific purpose. And since there are

no performance standards, there can be no measurement of success.

Title I has always had the advantage of a clear purpose. But, despite Senator Robert Kennedy's admonitions, it never had a clear means in place to define and measure its effectiveness. Efforts to put such a system of performance standards and outcome measures in place for federal education programs were initiated in the late 1980s by then-Governor William Clinton under the Administration of the first President Bush (Bush 41). There is more to come on that in the next section. But first one parenthetical, albeit significant, note.

In 1983, the Reagan Administration issued a seminal report on education entitled "A Nation at Risk." The report was eerily prescient and the disconnect between the report's sense of urgency and the lack of any federal action on the part of Reagan is absolutely striking:

"The world is indeed one global village. We live among determined, well-educated, and strongly motivated competitors. We compete with them for international standing and markets, not only with products but also with the ideas of our laboratories and neighborhood workshops. America's position in the world may once have been reasonably secure with only a few exceptionally well-trained men and women. It is no longer.

... Knowledge, learning, information, and skilled intelligence are the new raw materials of international commerce and are today spreading throughout the world as vigorously as miracle drugs, synthetic fertilizers, and blue jeans did earlier. If only to keep and improve on the slim competitive edge we still retain in world markets,

we must dedicate ourselves to the reform of our educational system for the benefit of all--old and young alike, affluent and poor, majority and minority. Learning is the indispensable

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investment required for success in the "information age" we are entering."

<http://www.ed.gov/pubs/NatAtRisk/risk.html>

1989: A Nation At Risk Meets the Accountability Movement

In 1989, the nation's governors held an education summit in Charlottesville, Virginia. President George H.W. Bush ("Bush 41") was the keynote speaker. Then-Governor Bill Clinton, of Arkansas, played a prominent role.

There were a lot of nice words. And some big plans. In total, six education goals emerged from the conference. All were bold, admirable and, given that there were no resources put forth to even attempt to achieve them, completely unrealistic. Here is one of the goals for the year 2000 that emerged from the summit, as articulated by Bush 41 in his 1990 State of the Union Address:

"American students will leave grades four, eight, and twelve having demonstrated competency in

challenging subject matter including English, mathematics, science, history, and geography; and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our modern

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economy.”

<http://www.presidency.ucsb.edu/ws/index.php?pid=18095>

Bush made a few gestures toward pushing these states to establish content standards (what students should know), assessments (tests), and performance standards (acceptable levels of achievement) under the banner “America 2000.” But neither his nor Congress’ hearts were really in it.

One big problem was that Bush 41 was caught in a huge philosophical and political bind: It was hard to stay true to the conservative principles of local school control while at the same time effectively and systemically addressing the compelling national challenges outlined by both the 1989 Charlottesville Summit and the 1983 “Nation at Risk” report.

Although Bush 41 tried to claim the mantle of

“education president,” President Bill Clinton entered the White House in 1993 with big plans to make that title his very own.

Clinton: “The Real Education President”?

Without question, Bill Clinton was the single most important force in establishing the framework of standards, accountability, and testing that were put into law under NCLB.

He fought hard for standards, testing, and accountability throughout his Presidency, and got strong bipartisan support. He bobbed and weaved, and won some big rounds. It’s questionable whether he went the distance. In fact, in the end, he threw the fight. But without Bill Clinton, NCLB would not have been possible.

Goals 2000. Right out of the box, Clinton proceeded to repackage Bush’s “America 2000” as “Goals 2000.” Clinton was great at big ideas, and he deftly wove the themes of the “Nation at Risk” report into his education rhetoric, as he did more broadly in his economic policy.

Terms like “global village,” “international competitiveness,” and “world-class standards,” were the big themes. And Clinton backed these policies up with legislation.

On April 22, 1993, just 3 months after assuming the Presidency, Clinton sent the “Goals 2000: Educate America Act” to Capitol Hill. It was introduced by Rep. Dale Kildee who was then, and is again now, the Chair of the House Education Subcommittee.

www.ed.gov/legislation/GOALS2000/TheAct/index.html

The Act would place the goals of the 1989 Charlottesville Summit into federal statute. Although these goals would be non-binding, the Act would provide federal funds to the states to develop “content standards” (what students should know), academic assessments (tests), and

performance standards (acceptable benchmarks for performance at various grade levels).

The bill was controversial. Conservatives were opposed to federal intrusion into what they perceived to be a state and local issue. Liberals did not want higher standards (“outputs”) without a guarantee of sufficient resources (“inputs”). But, as was often the case, Clinton threaded the political needle. The bill was sufficiently “federalist” to attract the broad middle. The bill passed the House of Representatives on March 23, 1994, by a vote of 306-121 and the Senate days later by a vote of 63-22. It was signed by the President on March 31st.


<http://thomas.loc.gov/cgi-bin/bdquery/z?d103:HR01804:@@X>

The bill immediately captured the \$105 million that had been set aside for it by the Appropriations Committee for that fiscal year if, and only if, it were enacted by April 1st. A close call, but Clinton was now on a roll.


ESEA 1994: After the passage of Goals 2000, Clinton went right to work on reauthorizing ESEA, which he redubbed the “Improving America’s Schools Act.”

The Act inserted the principles of Goals 2000 into Title I, the engine of federal elementary and secondary education policy, which drives the lion’s share of federal education dollars to states and school districts. The bill’s policies were very similar to Goals 2000, so in that sense, the ideas were not legislatively ground-breaking.

The difference is that Goals 2000 was set to “sunset.” States could participate or not (all states did, more or less, eventually) but after FY 1998, the law was to set to expire. IASA would incorporate Goals 2000’s accountability and assessment system into a “permanent” (for all intents and purposes) federal law. That was a



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significant change and gave pause to many. Still, passage of IASA was swift. The bill became law on October 20, 1994.

While IASA had many good ideas, Clinton was weaker on the details and follow-through. Perhaps that’s what was necessary to navigate the political waters, or perhaps Clinton just didn’t paddle very hard.

One of the best examples of this dynamic, and the one with the biggest implications for NCLB, was the issue of data “disaggregation.” (Don’t go to sleep yet – this gets better.)

Disaggregation means sorting out student achievement by subgroups – how economically disadvantaged students are doing in reading compared to more affluent students, how Hispanic students are doing in math compared to non-Hispanic students, etc.

Disaggregation is the key to comparability. Comparability is the key to assessing equal educational opportunity. Equal educational opportunity is the key to closing achievement gaps. Disaggregation is, in fact, the single most important linchpin in federal law to leverage both the 1954 goals of the Supreme Court and the 1965 goals of the original ESEA. In disaggregation, it all comes together.

“Wide variation exists among Ed-Flex states regarding whether they have established clearly defined goals to measure the results of waivers received by districts and schools.”

Government Accounting Office

IASA said that the assessments used by states had to be able to be “disaggregated,” but it was less certain whether states had to actually disaggregate the disaggregatable data.

And this is where Clinton threw the fight.

I was in a meeting after passage of IASA in which the Clinton Administration was discussing whether or not to require states to disaggregate through regulations. Some Congressional staff, supported by civil rights groups, were urging this approach.

But the Administration brought in a still-prominent testing expert who argued that disaggregation would result in unreliable data because in many cases the number of children in certain subgroups would be too small. I was flabbergasted. I knew that there was an easy way

to fix this that I taught to my own undergraduates in Stats 101: disaggregate up (from classroom to school or school to district) until you get a statistically reliable number of poor, black, Hispanic, (fill-in the-blank), students. Don’t report for any subgroup with an “N” of less than 30.

I was just a new legislative aide, recruited from academia. Neither of those factors worked in my favor. I felt like the kid in the “Emperor’s New Clothes.” But I learned a lesson. In fact I learned several.

When Bush 43 entered office in 2001 he, unlike the people in the scene described above, knew all about disaggregation. In fact, he loved the word. And it was Clinton who gave Bush 43 a chance as Governor to learn the disaggregation ropes and, ultimately, take it all the way to federal policy.

Ed-Flex

Ed-Flex was a little-noticed “pilot” provision of Goals 2000 that gave the Secretary of Education the authority to waive certain provisions of federal law in the hope of promoting innovation and realizing better outcomes for all students. The marketing catch phrase was “flexibility in exchange for accountability.”

States got flexibility. But there was little rigor in the Ed-Flex accountability plans approved by the Secretary of Education.

In all, 12 states (out of the 13 that applied) were approved for Ed-Flex projects. The Government Accountability Office issued a preliminary report on Ed Flex on December 15, 1997. The report showed little of the promised innovation taking place. Reading between the lines, one might draw the conclusion that GAO’s auditors were skeptical about the way the program was being used.

<http://archive.gao.gov/paprpdf/159654.pdf>

First of all, most states used their flexibility to redistribute resources, rather than pursue policy innovations (keep in mind that the targeting of resources was one of the principles that underlay the passage of ESEA in 1965).

GAO: “most [waivers] of which have sought to change the way funds are distributed or to broaden the range of individuals who may benefit.”

This doesn’t sound like targeting. In fact, it sounds like quite the opposite.

The Clinton Administration argued that states would use their new flexibility to improve outcomes for all students, lifting all boats, including those of underserved groups.

The GAO would address this issue in its final report on November 13, 1998. It is not much of a stretch to say that the report was damning. The tone at times seemed derisive, maybe even sarcastic.

<http://www.gao.gov/archive/1999/he99017.pdf>

GAO: “Wide variation exists among Ed-Flex states regarding whether they have established clearly defined goals to measure the results of waivers received by districts and schools. Some states and districts have expressed their goals only in the vaguest of terms, while others have been more precise. For example, in one state only nonspecific goals were reported, such as “a commitment to the identification and implementation of programs that will create an environment in which all students actualize academic potential.”

Was this an isolated example?

Apparently not.

GAO: “Only one Ed-Flex state—Texas—has set specific numerical criteria that are closely tied to both the schools or districts and the specific

students affected by the waiver. For example, Texas expects all districts that receive waivers under Title I to make annual gains on test scores so that in 5 years 90 percent of all students will pass the state’s assessment tests in reading and mathematics. In addition, Texas’ districts must make annual gains so that at the end of the same 5-year period 90 percent of African-American students, 90 percent of Hispanic students, 90 percent of white students, and 90 percent of economically disadvantaged students will pass these tests.”

The Governor of Texas who oversaw the Ed-

GAO: “... most waivers have sought to change the way funds are distributed or to broaden the range of individuals who may benefit.”
This doesn’t sound like targeting toward high-risk children. In fact, it sounds quite like the opposite.

Flex program was George W. Bush.

Some legislators here saw promise in the Texas approach, particularly Congressman George Miller, who was then the second ranking Democrat on the House Education and Labor Committee. Miller wanted all states to pursue the Texas approach, particularly if they got Ed-Flex waivers. The Texas Ed-Flex program met both the letter and spirit of the original ESEA. And Texas did it voluntarily. No one made them. As far as I know, there was no press release from the Texas Governor’s office – or,

really, anybody else - that accompanied the GAO report. If Miller hadn't been one to actually read reports himself and take their findings seriously, it may have been a while before anyone in Washington started talking about what they were doing with federal education dollars in Texas.

The Clinton Administration's response to the GAO report: expand the Ed-Flex program to all 50 states. However, there were no real changes in the program's requirements. "Flexibility in exchange for accountability" was a popular catch phrase in Washington, but it was only embraced in its most real sense at the time by 1 out of 50 Governors.

Miller and Kildee (the original author of Goals 2000, which authorized Ed-Flex) offered an amendment ("Number 20") to the Ed-Flex 50-state expansion bill (H.R. 800) on March 10, 1999. The Miller-Kildee amendment would have required all states to adopt something akin to the Texas approach: high and equal expectations for all children, disaggregation of data (by race, socioeconomic status, English Language Proficiency, disability), and a goal of narrowing achievement gaps in basic subjects.

<http://thomas.loc.gov/cgi-bin/query/F?r106:1./temp/~r106cwPUkb:e246341>

The Clinton Administration strongly opposed Miller-Kildee, as did then Education Committee Chairman Bill Goodling and every House Republican. The Miller-Kildee amendment failed, with Democratic support only, by a comfortable margin. But it was not a vote that Republicans enjoyed casting.

While Miller and Kildee lost that battle, what they did was set the stage for an alliance between top Congressional Democrats and Bush

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43 to do something powerful and constructive to focus attention and resources on the nation's most vulnerable children.

NCLB and Bush 43

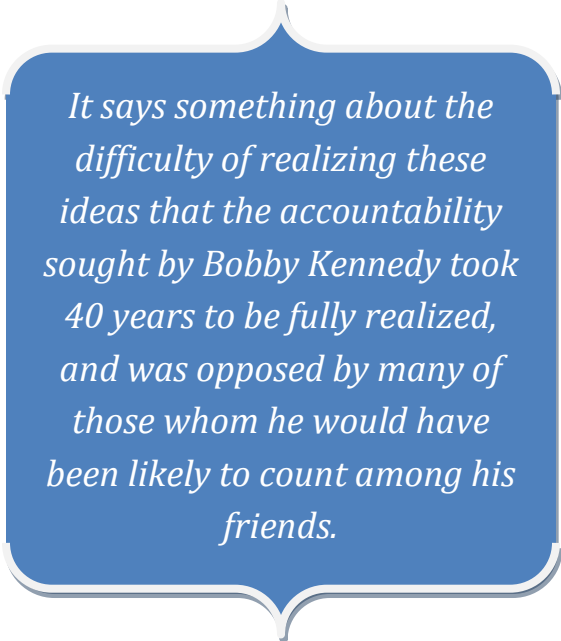
In November 2000, Bush 43 was elected President. In December, Miller went to Austin with a bipartisan group of Senators and Congressman to discuss broad principles with the (er, presumably) President-elect. And in January, Miller, Ted Kennedy, John Boehner, and Judd Gregg began a partnership that resulted in No Child Left Behind. Bush signed the bill, less than a year after he was inaugurated, in January 2002.

Lessons Learned

The Constitutional Right to Equal Education: Even Supreme Court decisions do not necessarily achieve their goals. That we are still fighting to achieve equal educational opportunity is a perhaps sad commentary on our Republic. But what the debate shows over the years is that the themes sounded out

unanimously by the Court in 1954 were exactly the right ones. The goals are admirable and they deserve – and need – to be vigorously pursued, now more than ever.

The Power of Ideas: Amazingly, the goals and purposes of Title I have remained intact since 1965: to provide equal educational opportunity and to improve educational achievement for all students. It says something about the power of history and social movements that the ideas and values articulated by Senator Robert Kennedy in 1965 were the same ones articulated by his brother Teddy, Congressmen George Miller and Dale Kildee, and President George W. Bush in



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2001. It says something about the difficulty of realizing these ideas that the accountability sought by Bobby Kennedy took 40 years to be fully realized, and was opposed by many of those whom he would have been likely to count among his friends.

Nice Words Aren't Enough: If nice words and admonitions were enough to change public policy, it would have happened at any of a number of times: in 1983 when the “Nation at Risk” report was issued; in 1989 after the

Charlottesville Governor’s Summit; in 1994 after the passage of Goals 2000 and IASA.

Be Careful Out There: As the stories on disaggregation and Ed-Flex tell us, one needs to be careful about alliances. The politics of education reform have become very complex. Experts are hired and funded by various entities and even if there is no financial interest in taking a particular position, there is social pressure to do so. Being a maverick may have its own intrinsic rewards, but being popular at DC cocktail parties is not one of them.

First Do No Harm: The Clinton Administration took a failed pilot program and took it national in a matter of a few years. Twelve of 13 states that applied were approved. Only 1 of those 12 met the letter and spirit of the original deal: “flexibility in exchange for accountability.” Over that time, according to GAO, resources were diverted from targeted programs and spread around broadly. It took 4 years, Congressman George Miller, Senator Ted Kennedy, and President George W. Bush to begin to correct that problem. That is a constellational alignment that occurs only rarely in American politics.

A Look Ahead

At this writing, the NCLB reauthorization process is very fluid. Chairman Miller and the Ranking Republican Member Buck McKeon have distributed a bipartisan draft bill that would make some major changes. They have pursued as many avenues as reasonably possible to solicit ideas to inform the draft and to get feedback that will assumedly help them shape the bill that they plan to introduce very soon.

A few key themes are emerging:

Accountability and Assessments: Educators and school administrators are feeling the

pressure of the increased reporting and accountability requirements of Title I. For the first time in history, the law compels annual scrutiny of how states, districts, and schools are doing in accomplishing their primary mission: improving the academic achievement of poor, minority, disabled, and Limited English Proficient students.

This scrutiny is uncomfortable and stressful. Some schools have responded by improving their programs, and many schools, even in the poorest areas, are showing results. But there is overwhelming pressure from many others to simply sweep the bad news under the rug. As a result, there are many proposals to weaken and obfuscate the “bright lines” reporting program now in place under NCLB.

One such proposal is that schools use “multiple measures” of student performance – tests in subjects other than reading and math, as well as many other possible indices – to assess whether schools are making “adequate yearly progress.” Miller and McKeon seem to want to address criticisms that NCLB has narrowed school curriculums. That is a worthy goal, even setting aside evidence that shows broad curriculums may in fact be the best way to improve achievement in basic skills such as reading and math. But the bill as it is now written would blur the bright line accountability in the current law and make it more difficult to pinpoint in which schools and in which subjects students are in the most need of remediation.

Another, perhaps even more dangerous, proposal would allow a “pilot program” under which states could employ a mixture of state and local assessments to determine Adequate Yearly Progress (“AYP”). AYP is not only the measure used to gauge student progress, it is also the mechanism that directs resources to schools with the greatest needs. With local assessments,

comparability across districts would be impossible, thus undercutting any effort to achieve educational equality and direct money and services to where they are most needed. And as the GAO found under Ed-Flex, increased flexibility is most often used to direct resources *away* from poor and minority children.

No one wants to have to defend the current system of mainly multiple-choice tests as the last word in assessment technology. Miller and

Miller and McKeon have put forth some very bold innovations to attract teachers to high need schools and to specialty areas (math, science, disability, English Language Learners). Their bill is a comprehensive and thoughtful package of carrots and sticks...

McKeon seem to want to promote innovation. The way their proposal is structured now, however, the potential damage to NCLB provisions that empower parents with clear information and that target crucial educational resources far outweigh any curricular or testing improvements that might be achieved by their approach.

Teacher Salaries and Incentives: Teacher quality is the single most important factor in student achievement. And yet the students who most need good instruction in order to succeed, i.e., those that attend schools with high concentrations of poverty, are the least likely to get good teachers. This is one of the most fundamental flaws in U.S. education policy right

now and the one on which the least progress has been made.

Miller and McKeon have put forth some very bold innovations to attract teachers to high need schools and to specialty areas (math, science, disability, English Language Learners). Their bill is a comprehensive and thoughtful package of carrots and sticks – e.g., pay bonuses, salary increases, better working conditions, and equalization in the distribution of teachers and teacher salaries. Nothing short of an aggressive approach on this issue has worked or will work and Miller and McKeon are to be commended for their strong efforts and political courage on this issue.

The teachers unions are apoplectic over these proposals. While other unions routinely accept pay differentials for hard to staff jobs or shifts, or for special skills or high job performance, the NEA and AFT have consistently opposed them, even while some of their locals have cut their own deals, many of which look very similar to Miller-McKeon. The unions have thrown out a bunch of red-herrings (e.g., characterizing voluntary pay bonuses as threats to collective bargaining) and have put nothing proactive on the table. What's more, the Miller-McKeon provisions they oppose are identical to those they negotiated with Miller and others in 2005.

On both accountability and teacher quality, the political fight will come down to this: will Congress and the President look out for the long-term interests of the children and parents served under Title I? Or will they look out for the short-term interests of the adults who, understandably, are stressed out by NCLB's revolutionary changes and want the easy way out? This is the standard against which any changes to NCLB should be measured.

Democrats For Education Reform Statement of Principles

A first-rate system of public education is the cornerstone of a prosperous, free and just society, yet millions of American children today – particularly low-income and children of color – are trapped in persistently failing schools that are part of deeply dysfunctional school systems. These systems, once viewed romantically as avenues of opportunity for all, have become captive to powerful, entrenched interests that too often put the demands of adults before the educational needs of children. This perverse hierarchy of priorities is political, and thus requires a political response.

Both political parties have failed to address the tragic decline of our system of public education, but it is the Democratic Party – our party – which must question how we allowed ourselves to drift so far from our mission. Fighting on behalf of our nation's most vulnerable individuals is what our party is supposed to stand for.

Democrats for Education Reform aims to return the Democratic Party to its rightful place as a champion of children, first and foremost, in America's public education systems.

We support leaders in our party who have the courage to challenge a failing status quo and who believe that the severity of our nation's education crisis demands that we tackle this problem using every possible tool at our disposal.

We believe that reforming broken public school systems cannot be accomplished by tinkering at the margins, but rather through bold and revolutionary leadership. This requires opening up the traditional top-down monopoly of most school systems and empowering all parents to access great schools for their children.

We believe that anything less than an all-out effort to save our children is un-American, un-Democratic, and an insult to the very fabric of our nation and its proud commitment toward equality of opportunity through the education of its citizenry.

We know that decisive action today can save our children, our party, and ultimately our nation.