

“Four Key Areas for Overhauling the Elementary and Secondary Education Act”*

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Presented to the National Council of Teachers of English Government Relations Subcommittee
Cannon House Office Building, Washington, D.C. January 27, 2011

Thank you very much to Barbara Cambridge*** for having invited me. I’m very pleased to be able to talk with you.

Introduction

Barbara has asked me to focus on three or four of the most important areas for change in the Elementary and Secondary Education Act being advocated by the Forum on Educational Accountability (FEA). I would like to do exactly that, focusing chiefly on FEA’s recommendations in four key areas: 1) Assessments; 2) Accountability; 3) School improvement/capacity-building; and 4) School turnarounds.

In addition to serving as Chair of the FEA Committee on Improvement/Capacity-building, I am the Executive Director of Citizens for Effective Schools (CES), and have been invited this afternoon in that capacity as well. Accordingly, I would also like to mention some work that Monty Neill, Chair of FEA and head of FairTest, and I are doing solely on behalf of our own organizations, (and, in one instance, for CES alone), that I believe is significant and very complementary to FEA’s work.

At the outset, I’d like to thank Barbara for sending me the National Council of Teachers of English (NCTE) 2010 Legislative Agenda. I see a great deal of overlap between policies FEA is advocating in these four areas and policies NCTE has already adopted, especially in the area of “school improvement/capacity-building” and, to some extent, in the areas of “assessments” and “school turnarounds.”

The Context: How I Believe NCLB Deals with These Areas Now

To establish a context for the four FEA recommendation areas, I’d like to start by briefly describing how I think that the current law - the No Child Left Behind Act (NCLB), supplemented by Race to the Top (RTTT) and School Improvement Grants (SIG) - deals with each of these areas.

Essence of NCLB

I believe that the fundamental “theory of change” of NCLB is “tests and sanctions”: Test students at the

*Prepared text of talk, slightly revised

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front end, sanction schools when students fail to sufficiently raise test scores at the back end, and essentially jump over the middle - the harder part - explaining what changes schools need to make to substantially improve student learning.

1. *Assessments* - For “tests”, i.e., “Assessments,” NCLB essentially mandates the administration of state standardized tests every year in every grade level 3-8 and once in high school for all public schools. It requires reporting of the percentage of students scoring “proficient” under each state’s definition of “proficiency” and disaggregating the assessment data into race/ethnicity, poverty, English language learner and students with disability categories.
2. *Accountability* - As to “accountability”, under NCLB schools must continually increase the percentage of students scoring “proficient” in each category to satisfy state defined “Adequate Yearly Progress” (AYP), with 100% of students required to be “proficient” by 2014. Any Title I-funded school that fails to satisfy AYP for two consecutive years is subject to escalating sanctions. They consist of: a) for the 3rd year, providing an option for students to transfer to a better school; b) 4th year, making available tutoring; c) 5th year, taking “Corrective action,” such as replacing the “curriculum, including providing appropriate professional development for all relevant staff,” replacing selected staff, “extend[ing]the school year or school day” or “appoint[ing]an outside expert” adviser; and d) 7th year, “Restructuring” the school with a new “governance” structure: converting it to a “charter school,” contracting for “private management,” replacing most or all of the staff, having the state take it over, or any other major change in governance.
3. *School Improvement/Capacity-building* - As to improving schools or enhancing their capacity, essentially NCLB relies on the same strategy that I have already described: Testing, AYP, 100% Proficiency by 2014, and Escalating Sanctions for Schools Not Making AYP!

That is, the implicit premises of NCLB are that: schools know what to do to dramatically increase student learning; they are not trying hard enough and need to be pressured to try harder; testing and embarrassment will induce them to make any necessary changes; and escalating sanctions, ultimately with major changes in “governance,” will greatly improve the schools.

4. *School Turnaround Process* - NCLB’s approach to turning around chronically low achieving schools is, fundamentally, the very same thing as its approach to “accountability” and “school improvement” that I have just mentioned above.

*In fact, the whole annual testing, AYP, escalating sanctions scheme of NCLB can be thought of as a federal statutory school-by-school turnaround process. The only problem is that the premises underlying the NCLB scheme are **false** and its approach to improving schools and student learning is **fundamentally misconceived**.*

NCLB's False Premises

Contrary to NCLB's premises: most Title I-funded schools do not currently have the capacity, including the knowledge and skills, to make the systemic changes necessary to dramatically improve instruction and the level of student learning; pressuring them to raise test scores generally does not induce the necessary changes in expectations, beliefs and practices; and escalating sanctions do not address the fundamental needs for improvement; instead, the threat of sanctions widely generates "teaching to the test," "narrowing the curriculum," and various manipulations to lower standards and raise test scores to try to avoid or postpone schools' being sanctioned.

So, the NCLB scheme is fundamentally misconceived to attain its laudable objectives of raising all students to "academic proficiency" and closing the "achievement gap." (If you are interested, I have been writing about this since before NCLB was enacted in 2002. Many of these writings, including an in-depth 2007 law review article, "Why the No Child Left Behind Act Needs to be Restructured to Accomplish Its Goals and How to do It," are available on CES's website, www.citizenseffectiveschools.org.)

Key Policy Recommendations for Overhauling ESEA in the Four Areas

1. Assessments

In the area of assessments, FEA recommends particularly the following:

- a. Reduce the amount of mandated testing, from every year in grades 3-8 and once in high school to, for example, testing in only one grade level per year in elementary school, one grade in middle school and one grade in high school. This would greatly reduce the current over-emphasis on testing (which largely tells us what we already know about which schools and student groups really need help). It would also align the United States with the practices of most other nations which use fewer but better assessments to produce superior results.
- b. Develop and use "classroom based assessments," including greatly increased use of "formative assessments," to improve teaching and learning. Use "performance tasks and projects," which states can compile and make available to educators; such performance tasks/projects can also be used as part of accountability.
- c. Use "growth measures," not one -point- in- time measures such as NCLB's annual standardized test scores, to evaluate students, educators and schools, and use multiple sources of evidence as part of the "growth measures."

In addition, FEA sponsored an entire expert panel report, "Assessment And Accountability For Improving Schools And Learning: Principles and Recommendations for Federal Law and State

and Local Systems.” (That report is available at FEA’s website, www.edaccountability.org, as are the other FEA materials referenced here.)

2. **Accountability**

As to accountability, FEA emphasizes particularly the following five policies:

- a. *Eliminate AYP.*
- b. *Eliminate “escalating sanctions”.*
- c. *Eliminate 2014 goal of “100% proficient”.*
- d. If Congress were to adopt the Obama Administration’s goal that all students be on track for college or work force readiness, do not tie it to any arbitrary deadline. Instead, expect schools to demonstrate reasonably attainable rates of improvement based on what the most effective Title I-funded schools in the state are actually achieving.
- e. Replace AYP-based accountability with a system of evaluating schools and districts based on comprehensive indicators and periodic reviews and public reports by trained and qualified state teams. That way, there would be an independent, comprehensive, regular and uniform approach to evaluation and reporting to the public how schools are doing, as well as specific recommendations for improvement. For schools and districts that are unable to implement necessary changes, the states have the ultimate responsibility to intervene.

More specifically, CES and FairTest have developed an extensive proposal for incorporating state level “school inspectorates/School Quality Reviews” in ESEA as a totally separate means of “accountability.” Beyond serving that function, such inspectorates would also serve the valuable purposes of: helping schools improve, by virtue of the inspectorates’ expert analysis and recommendations; enhancing the availability, and linking the provision, of state technical assistance and supplementary resources to carrying out the systemic changes recommended by the inspectorates; and helping states to build their human capacity to know how to support and, when necessary, lead school improvement/school turnarounds. There is substantial interest in the inspectorate idea both in the Senate HELP Committee and at the White House. (A One Page Summary of our Inspectorate/School Quality Review proposal and a more detailed proposed Legislative Outline are available.)

3. **School Improvement/ Capacity-building**

As to school improvement/ capacity-building, FEA advocates:

- a. Requiring all Title I-funded schools to provide staff collaboration time and to serve staff-identified professional development needs, including how to use assessments and work with diverse learners. In addition, all such schools with the highest poverty and lowest achievement, i.e., “high needs schools,” should be required to provide: individualized mentoring for beginning and experienced teachers; career

ladders for mentor and other teacher support specialists; and intensive staff training in instructional leadership and family engagement. An amount equal to 20% of Title I funding needs to be appropriated by Congress for such staff development, with a comparable state match.

- b. Requiring all Title I-funded schools to provide programs to strengthen parent involvement in their schools. In addition, all “high needs schools” should have to provide parenting skills and adult literacy programs to support children’s learning at home, and adult mentoring for children without families available. An amount equal to 5% of Title I funding needs to be appropriated for this purpose.
- c. Provide an appropriation equal to 2% of Title I funding to assist states to strengthen their ability to support systemic school improvements. Enhance the provision of specialized instructional support personnel/services directly to students, teachers and administrators. Condition teacher preparation grants on programs’ providing one-year intensive clinical placements.

As a closely related matter, CES and FairTest are very interested in, and generally supportive of, S. 3242, the “Teacher and Principal Improvement Act” bill filed by Senator Jack Reed (R. Is.) in 2010. It incorporates a great deal of what FEA has been advocating with regard to: professional development, peer collaboration, mentoring, career ladders, formative and other classroom-based assessments, performance assessments, “growth” models, multiple measures, etc. I understand that the White House is interested in this bill.

4. School Turnaround Process

- a. Obama Administration’s “Transformation” and “Turnaround” Models: Positive and Negative Aspects

The Obama Administration apparently recognized early on that NCLB was identifying far more schools for major restructuring than the federal government could help and that federal financial assistance and guidance to key systemic changes were needed to help chronically low-achieving schools turn around. Evidently for such reasons, the Administration developed and got Congress to fund the Race to the Top and School Improvement Grant programs, intended to turn around such schools. These programs use the four turnaround models with which you are probably familiar: “Transformation,” “Turnaround,” conversion to charter/private management, and closure.

Of these, I believe that the “Transformation Model” and, to a lesser extent, the “Turnaround Model,” have a very significant and positive feature from FEA’s perspective: in both, the federal government specifies systemic changes that school grantees have to focus on to help them turn around. That approach, of having schools and districts focus on implementing the policy changes that experience and research have shown over many years actually “work” - rather than having them “reinvent the wheel” or experiment with whole new ways of trying to improve schools - is key to FEA’s approach to school improvement.

So, while we object strongly to the automatic removal of the principal and half of the staff required by the “Turnaround Model” and to the automatic removal of the principal required by the “Transformation Model”, without having met appropriate preconditions, we *must not* lose sight of a critical fact: the overall approach of these models of having schools focus on what works is essentially what FEA has been advocating for years. Aside from the mandatory removal of the principal, a big problem with the “Transformation Model” is that it does not address all of the critical components needed for successful school turnarounds; in certain respects, it is also too rigid.

b. Common Elements of Successful School Turnarounds

To address these concerns, CES and FairTest, at the invitation of a House Education Committee staffer, wrote a paper on “Common Elements of Successful School Turnarounds.” This paper, based on research and experience, grouped the critical common elements of successful school turnarounds into five categories: 1) “Leadership: Principal, Teachers and Other Stakeholders;” 2) “Instructional Improvement;” 3) “Curriculum: Challenging, Rich, Culturally Relevant and Aligned;” 4) “Climate: High Expectations, Respect, Support and Safety;” and 5) “Parent and Community Involvement and Support.” (This paper is on the CES website.)

FEA then developed that paper into one for a “Turnaround Process” designed to have schools address those 5 key elements, as well as sub-elements listed in the “Common Elements” paper.

c. FEA’s “Turnaround Process”

The FEA “Turnaround Process” paper addresses not only the essential strategic changes that chronically low-achieving schools need to make, but also ideas for an organic process for evaluation of needs, planning and implementation of systemic changes, monitoring, evaluation and reporting by the district, and a five year timeline. In addition, the paper recommends a process for: states to review and approve proposed turnarounds; state assistance and support for the implementation process; state evaluation of each school’s ongoing efforts; and some federal monitoring of the process.

d. School Leadership Academy

Finally, the last thing I’d like to mention is that leadership, usually by the principal, is widely recognized as the critical “catalyst” for turnarounds. Yet, it is also widely recognized that principals generally do not have the knowledge and skills necessary to successfully lead, and induce others to buy into, the process of changing stakeholders’ expectations, beliefs and practices necessary to transform chronically low-achieving schools.

For these reasons, CES has proposed that Congress create a School Leadership Academy, along with regional centers, to train experienced principals how to effectively lead school turnarounds. Such a bill was filed in 2010 by Senators Michael Bennet (Colo.) and Sherrod

Brown (Oh.), S. 3469, and by Congressmen Donald Payne (N.J.), Russ Carnahan (Mo.) and other Representatives, H.R. 5495.

Conclusion

Thank you very much. I would now like to open it up for questions, comments and discussion with respect to strategy for the ESEA reauthorization.