

RAISING THE BAR: EXPLORING STATE AND LOCAL EFFORTS TO IMPROVE ACCOUNTABILITY

HEARING

BEFORE THE

COMMITTEE ON EDUCATION
AND THE WORKFORCE

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RAISING THE BAR: EXPLORING STATE AND LOCAL EFFORTS TO IMPROVE ACCOUNTABILITY

**Tuesday, May 7, 2013
U.S. House of Representatives
Committee on Education and the Workforce
Washington, DC**

The committee met, pursuant to call, at 10:03 a.m., in Room 2175, Rayburn House Office Building, Hon. John Kline [chairman of the committee] presiding.

Present: Representatives Kline, Wilson, Foxx, Roe, Thompson, Walberg, Guthrie, DesJarlais, Rokita, Bucshon, Heck, Brooks, Hudson, Miller, Andrews, Scott, McCarthy, Tierney, Davis, Bishop, Loeb sack, Courtney, Fudge, Polis, Yarmuth, Wilson, and Bonamici.

Staff present: James Bergeron, Director of Education and Human Services Policy; Casey Buboltz, Coalitions and Member Services Coordinator; Lindsay Fryer, Professional Staff Member; Nancy Locke, Chief Clerk; Krisann Pearce, General Counsel; Mandy Schaumburg, Education and Human Services Oversight Counsel; Dan Shorts, Legislative Assistant; Nicole Sizemore, Deputy Press Secretary; Alex Sollberger, Communications Director; Alissa Strawcutter, Deputy Clerk; Brad Thomas, Senior Education Policy Advisor; Tylease Alli, Minority Clerk/Intern and Fellow Coordinator; Jeremy Ayers, Minority Education Policy Advisor; Meg Benner, Minority Education Policy Advisor; Kelly Broughan, Minority Education Policy Associate; Jody Calemine, Minority Staff Director; Tiffany Edwards, Minority Press Secretary for Education; Jamie Fasteau, Minority Director of Education Policy; Scott Groginsky, Minority Education Policy Advisor; Eunice Ikene, Minority Staff Assistant; Megan O'Reilly, Minority General Counsel; Michael Zola, Minority Senior Counsel; and Mark Zuckerman, Minority Senior Economic Advisor.

Chairman KLINE. A quorum being present, the committee will come to order. Good morning. And welcome to today's hearing to examine state and local efforts to improve school accountability.

We have an excellent panel of witnesses with us this morning. I would like to thank each of you for taking time out of your schedules to join us for this discussion.

Last month marked the 30th anniversary of the landmark "Nation at Risk" report. By starkly illuminating the failures in K-12 schools, this Reagan-era report sparked a national conversation on the state of education in America.

Without a doubt, “Nation at Risk” could be considered the catalyst for the modern education reform movement. In the years following the report’s release, states and school districts advanced a number of initiatives aimed at raising the bar for students.

The federal government doubled education spending and, through the groundbreaking No Child Left Behind law, took steps to narrow student achievement gaps, strengthen curricula, and demand greater accountability.

But as I have said before, hindsight is 20/20. Despite the best of intentions, we can now see clearly that our federal efforts haven’t worked as we had hoped. The Adequate Yearly Progress metric is entirely too rigid and actually limits states’ and school districts’ ability to effectively gauge student learning.

The antiquated Highly Qualified Teacher requirements value tenure and credentials above a teacher’s ability to actually teach. Strict mandates and red tape result in unprecedented federal intrusion in classrooms, stunting innovation.

And despite a monumental investment of taxpayer resources, student achievement levels are still falling short.

It is time to change the law.

Last Congress, we advanced a series of legislative proposals to rewrite No Child Left Behind. Instead of working with Congress to fix the law, however, the Obama administration chose to offer states temporary waivers from some of No Child Left Behind’s most onerous requirements in exchange for new mandates dictated by the Department of Education.

As more states adopt the administration’s waivers, my concerns grow. These waivers are a short-term fix to a long-term problem and leave states and school districts tied to a failing law. School leaders face uncertainty, knowing the federal requirements they must meet to maintain their waiver are subject to change with the whims of the administration.

In the coming months, we will again move forward with a proposal to rewrite No Child Left Behind. This legislation will be based on four principles that my Republican colleagues and I believe are critical to rebuilding and strengthening our nation’s education system.

First, we must restore local control and encourage the kind of flexibility states and school districts need to develop their own accountability plans that provide parents more accurate and meaningful information about school performance.

Second, it is time to reduce the federal footprint. The Department of Education operates more than 80 programs tied to K-12 classrooms, many of which are duplicative or ineffective, each with its own set of strict rules.

Innovation and effective reform cannot be mandated from Washington. We must put control back in the hands of the state and local leaders who know their students best.

Third, we need to shift our focus to teacher effectiveness. We should value our educators based on their ability to motivate students in the classroom, not their degrees and diplomas.

States or school districts must be granted the opportunity to develop their own teacher evaluation systems based in part on stu-

dent achievement, enabling educators to be judged fairly on the effectiveness in the classroom.

Finally, we have got to empower parents. Any effort to provide students with a top-quality education must include the involvement and support of parents. Whether through charter schools, scholarships, tax credits, open enrollment policies, or other options, parents should be free to select the school that best fits their children's needs.

As the Nation at Risk report concluded, "Reform of our educational system will take time and unwavering commitment. It will require equally widespread, energetic, and dedicated action."

We have an opportunity to work together in good faith to bring true reform to America's K-12 schools. To change the law to more effectively support the teachers, school leaders, superintendents, and parents who are working tirelessly each and every day to ensure our children have the skills they need to succeed.

We laid a considerable amount of groundwork last Congress and the Congress before, and the last Congress holding 14 hearings with dozens of witnesses to explore the challenges and opportunities facing our schools.

I hope we can build upon the progress as we move forward with legislation that will change the law by offering states and school districts the flexible dynamic education policies they deserve.

Today's hearing is an important part of that effort, and I look forward to our witnesses' testimonies.

With that, I now yield to the senior Democratic member of the committee, George Miller, for his opening remarks.

[The statement of Chairman Kline follows:]

**Prepared Statement of Hon. John Kline, Chairman,
Committee on Education and the Workforce**

Last month marked the 30th anniversary of the landmark "Nation at Risk" report. By starkly illuminating the failures in K-12 schools, this Reagan-era report sparked a national conversation on the state of education in America.

Without a doubt, "Nation at Risk" could be considered the catalyst for the modern education reform movement. In the years following the report's release, states and school districts advanced a number of initiatives aimed at raising the bar for students. The federal government doubled education spending and, through the groundbreaking No Child Left Behind law, took steps to narrow student achievement gaps, strengthen curricula, and demand greater accountability.

But as I've said before, hindsight is 20/20. Despite the best of intentions, we can now see clearly that our federal efforts haven't worked as we'd hoped. The 'Adequate Yearly Progress' metric is entirely too rigid and actually limits states' and school districts' ability to effectively gauge student learning. The antiquated 'Highly Qualified Teacher' requirements value tenure and credentials above a teacher's ability to actually teach. Strict mandates and red tape result in unprecedented federal intrusion in classrooms, stunting innovation. And despite a monumental investment of taxpayer resources, student achievement levels are still falling short.

It's time to change the law.

Last Congress, we advanced a series of legislative proposals to rewrite No Child Left Behind. Instead of working with Congress to fix the law, however, the Obama administration chose to offer states temporary waivers from some of No Child Left Behind's most onerous requirements in exchange for new mandates dictated by the Department of Education.

As more states adopt the administration's waivers, my concerns grow. These waivers are a short-term fix to a long-term problem, and leave states and school districts tied to a failing law. School leaders face uncertainty, knowing the federal requirements they must meet to maintain their waiver are subject to change with the whims of the administration.

In the coming months, we will again move forward with a proposal to rewrite No Child Left Behind. This legislation will be based on four principals that my Republican colleagues and I believe are critical to rebuilding and strengthening our nation's education system.

First, we must restore local control, and encourage the kind of flexibility states and school districts need to develop their own accountability plans that provide parents more accurate and meaningful information about school performance.

Second, it's time to reduce the federal footprint. The Department of Education operates more than 80 programs tied to K-12 classrooms, many of which are duplicative or ineffective, each with its own set of strict rules. Innovation and effective reform cannot be mandated from Washington. We must put control back in the hands of the state and local leaders who know their students best.

Third, we need to shift our focus to teacher effectiveness. We should value our educators based on their ability to motivate students in the classroom, not their degrees and diplomas. States or school districts must be granted the opportunity to develop their own teacher evaluation systems based in part on student achievement, enabling educators to be judged fairly on their effectiveness in the classroom.

Finally, we've got to empower parents. Any effort to provide students with a top-quality education must include the involvement and support of parents. Whether through charter schools, scholarships, tax credits, open enrollment policies, or other options, parents should be free to select the school that best fits their children's needs.

As the "Nation at Risk" report concluded, "Reform of our educational system will take time and unwavering commitment. It will require equally widespread, energetic, and dedicated action."

We have an opportunity to work together in good faith to bring true reform to America's K-12 schools. To change the law to more effectively support the teachers, school leaders, superintendents, and parents who are working tirelessly each and every day to ensure our children have the skills they need to succeed.

We laid a considerable amount of groundwork last Congress, holding 14 hearings with dozens of witnesses to explore the challenges and opportunities facing our schools. I hope we can build upon that progress as we move forward with legislation that will change the law by offering states and school districts the flexible, dynamic education policies they deserve. Today's hearing is an important part of that effort, and I look forward to our witnesses' testimony.

Mr. MILLER. Thank you very much, Mr. Chairman, and thank you so much for bringing this hearing together. I look forward to hearing from our witnesses. I think they have a great span of experiences and ideas about how we can negotiate this reauthorization.

This hearing comes at a very exciting time in education. States, districts, and schools are making large-scale transitions, transitions to new standards, to new assessments, to new accountability and school improvement systems, and new teacher evaluation systems. That is a lot, but they are doing it all.

As these transitions occur, we are seeing innovations at all levels. Many districts are looking at technology to help solve chronic education challenges, from getting high quality teachers and curricula into hard to staff schools, to use of new communication devices for students with disabilities.

Teachers in my home state of California are taking on Common Core as their charge and their responsibility. They are embracing new standards and assessments as their own in supporting and preparing themselves to work within them.

Districts in many parts of the country are taking a new approach to school management, a portfolio approach if you will, to ensure that there is, in fact, educational options that meet the needs of all students and families.

Schools are increasingly tapping community partners to ensure that students are receiving the wraparound services and the extra time that we know is critical to their success. No longer are schools

content with putting their student on a waiting list for wraparound services. They are in fact bringing those services to many of the school sites so the students will have access to them and helping them in achieving their educational opportunity.

Districts in California are taking a new approach to school improvement and are partnering with their peers for school review and support in turnarounds. Collaboration is now between districts throughout our state.

However, in all of this great movement forward I fear that states, districts, schools, and parents have lost their federal partner. Between congressional inaction on ESEA and sequestration, we have created an uncertain environment and we are not offering people the support that could help them succeed in a time of massive transformation. And yet I believe we have an incredible opportunity to take schools into the future with the proper reauthorization of ESEA.

Given that what we are seeing in states and districts now, it is not time to go backward in our federal policy. Eleven years ago, No Child Left Behind shined a light on our classrooms. Prior to No Child Left Behind only a handful of states publicly disclosed student achievement broken down by gender, ethnicity, disability, income, or English proficiency.

Even fewer states took action on that information. These students were invisible. They were struggling in classrooms across the country and nobody really knew it. Worse, nobody had to do anything to fix it.

But thanks to the federal accountability provisions, schools could no longer keep parents and public in the dark. Our schools could no longer exempt significant portions of their students from the accountability systems.

We have learned a lot in the last 11 years. Many things we wouldn't be discussing if it weren't for federal involvement. Most importantly, the evidence now is irrefutable that all kids can learn and succeed despite their zip code and their income.

Yet, as the author of No Child Left Behind, and as someone who has listened to experts in communities across the nation about the pros and cons, I recognize that we need to modernize the law with fundamental changes.

Last year the administration opened up the process for states to apply for waivers as part of NCLB. As of now, the Department of Education has approved waivers in 35 states with 11 applications still pending. Then and now I would prefer a full rewrite of ESEA; however, I understand why the administration took this action.

What excited me most in the waiver process was that states didn't just run away from the one-size-fits-all approach to NCLB, they ran toward a system that strikes a balance between flexibility and accountability. We should learn from this experimentation when we revise ESEA.

It does not make sense to ask states to reinvent the wheel when it is not necessary. That said, I have some deep concerns about those waivers and their implementation.

Many of those concerns stem from the states wanting to adopt policies that reach back to pre-No Child Left Behind, such as proposing to diminish or to not have subgroup accountability. I know

that many of my colleagues on both sides of the aisle share my concerns.

The only way to address these deep concerns is to engage in a true bipartisan rewrite of the law. That is the kind of bill that President Obama will sign.

We all agree, Democrats, Republicans, and the administration, that the federal role should shift in this reauthorization. States, districts, and schools should be able to manage their schools in a way that current law doesn't allow.

The federal government will never actually improve a school nor should it try; however, we must continue to support the simple idea that low-performing schools should be identified and required to improve. We cannot afford to scale back our national and federal commitment to ensure that all students are served well by their schools.

As such, Democrats believe we should set high expectations for students and schools. Specifically, federal policy should

1) require states to set high standards for all students ensuring that they graduate ready to succeed in college and in the workforce,

2) require states to set goals and targets every year so that schools get better every year and students make continuous progress,

3) ensure states and districts take action when students are not making that progress and schools are stuck in failure, and

4) target resources and supports to those schools that need to improve while giving them the flexibility to figure out how best to accomplish that. I believe we must reengage as a federal partner both on policy and on funding.

The reauthorization of ESEA provides us that opportunity. We must not turn our back on our civil rights and moral obligation to our nation's children.

I want to again thank all the witnesses for appearing today, and I certainly look forward to their testimony. I spent a great deal of time reading it last night. I want to hear it here in the committee room.

Thank you very much.

[The statement of Mr. Miller follows:]

**Prepared Statement of Hon. George Miller, Senior Democratic Member,
Committee on Education and the Workforce**

Thank you, Chairman Kline. This hearing comes at an exciting time in education. States, districts and schools are making large scale transitions—transitions to new standards, new assessments, new accountability and school improvement systems, and teacher evaluations.

As these transitions occur, we're seeing innovations at all levels:

- Many districts are looking to technology to help solve chronic education challenges—from getting high quality teachers into hard to staff schools to the use of new communication devices for students with disabilities.

- Teachers in my home state of California are taking on Common Core as their charge and responsibility. They are embracing the new standards and assessments as their own and supporting and preparing themselves.

- Districts in many parts of the country are taking a new approach to school management, a portfolio approach, to ensure that there are education options that meet all student needs.

- Schools are increasingly tapping community partners to ensure students are receiving the wrap-around services and extra time we know is critical to academic success.

- Districts in California are taking a new approach to school improvement and are partnering with their peers for school review and support in turnaround.

However, in all of this great movement forward I fear that states, districts, schools, teachers and parents have lost their federal partner. Between Congressional inaction on ESEA and sequestration, we have created an uncertain environment. And we are not offering people support that could help them succeed in a time of massive transformation.

And yet, I still believe we have an incredible opportunity to take schools into the future with a proper reauthorization of ESEA. Given what we are seeing in states and districts, now is not the time to go backwards in our federal policy.

Eleven years ago, the No Child Left Behind Act shined a light in our classrooms.

Prior to NCLB only a handful of states publically disclosed student achievement broken down by gender, ethnicity, disability, income, or English proficiency.

Even fewer states took action on that information. These students were invisible. They were struggling in classrooms across the country, and nobody knew. Worse, nobody had to do anything to fix it.

But thanks to federal accountability provisions, schools could no longer keep parents and the public in the dark. And schools could no longer exempt significant portions of their students from accountability systems.

We have learned a lot in the last 11 years—many things we wouldn't be discussing if it weren't for federal involvement. Most importantly, the evidence is now irrefutable that all kids can learn and succeed despite their zip code or income.

Yet, as an author of NCLB and someone who has listened to experts and communities across the nation about its pros and cons, I recognize that we need to modernize the law with fundamental changes.

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That said, I have some deep concerns about some of those waivers and their implementation. Many of those concerns stem from states wanting to adopt policies that reach back to a pre-NCLB time, such as proposing to diminish or not have subgroup accountability.

I know many of my colleagues on both sides of the aisle share my concerns. The only way to address these deep concerns is to engage in a true bipartisan rewrite of the law. That is the kind of bill that President Obama will sign.

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We cannot afford to scale back our national and federal commitment to ensure all students are served well by their schools.

As such, Democrats believe we should set high expectations for students and schools. Specifically, federal policy should:

- Require states to set high standards for all students, ensuring they graduate ready to succeed in college and the workforce;
- Require states to set goals and targets every year so that schools get better every year and students make continual progress;
- Ensure states and districts take action when students are not making progress and schools are stuck in failure; and
- Target resources and supports to those schools that need to improve while giving them flexibility to figure out how best to accomplish that.

I believe we must re-engage as a federal partner both on policy and in funding. The reauthorization of ESEA provides us that opportunity. We must not turn our backs on our civil rights and moral obligation to our nation's children.

I thank all the witnesses for appearing today. I look forward to your testimony. I yield back.

Chairman KLINE. I thank the gentleman. Pursuant to Committee Rule 7(c), all committee members will be permitted to submit written statements to be included in the permanent hearing record.

Without objection, the hearing record will remain open for 14 days to allow statements, questions for the record and other extraneous material referenced during the hearing to be submitted in the official hearing record.

Well, now it is my pleasure to introduce this distinguished panel of witnesses. Mr. John White is the state superintendent of education for Louisiana. He has got an incredible story to tell.

We have got to take an extra moment for Dr. Chris Richardson. He is completing his 9th year as superintendent of the Northfield Public Schools found in the 2nd Congressional District of Minnesota. In 2012 he was selected the Minnesota Superintendent of the Year, and I have had the pleasure and the benefit of hours and hours of discussion with Dr. Richardson about No Child Left Behind and reauthorization, and I am delighted that he is here to share that with you today.

Mr. MILLER. Yes, it takes a long time to talk to him. [Laughter.]

Chairman KLINE. Mr. Eric Gordon is the chief executive officer of the Cleveland Metropolitan School District. Welcome.

And Mr. Matthew Given is the chief development officer and executive vice president at EdisonLearning.

Welcome, all of you.

Before I recognize each of you to provide your testimony, let me again briefly explain our lighting system. You will each have 5 minutes to present your testimony. When you begin, the light in front of you will turn green. When 1 minute is left, the light will turn yellow, when your time has expired, the light will turn red.

At that point, I'd ask you to wrap up your remarks as best you are able, and after everyone has testified, members will each have 5 minutes to ask questions of the panel, and as I have explained to other witnesses, I am loath to drop the gavel on a witness when they are speaking. It is not impossible. I am less reluctant to drop the gavel on my colleagues. I would now like to recognize Mr. White for 5 minutes.

Sir, you are recognized.

**STATEMENT OF JOHN WHITE, STATE SUPERINTENDENT OF
EDUCATION, LOUISIANA DEPARTMENT OF EDUCATION**

Mr. WHITE. Chairman Kline, Representative Miller, and members of the committee, I thank you very much for the opportunity to present today.

Our state's story will reflect well on the legacy of No Child Left Behind, but there is much that needs to be changed. A strong ESEA reauthorization would benefit our nation's schools and children greatly.

I will base my comments on our experiences in Louisiana and in the city of New Orleans particularly. That city's school system ranked lowest in our state for years and was almost taken over entirely by the state-run Recovery School District 6 years ago; it now graduates students from high school at a higher rate than our state average and among African-Americans at a higher rate than the national average.

That success starts with a blend of four policies. One, empowered school leadership where schools receive 98 cents on the dollar of state and local revenue. Two, uncompromising accountability. Three, citywide parental choice. Four, long-term investment in a pipeline of talented principals and teachers.

Together, these principles form a simple framework. Set a goal, let the educators figure out how to achieve it, give parents a choice as to where to send children, and stock the system with strong educators.

It is worth saying that the New Orleans model was predated by NCLB's push to identify low performing schools and to improve them, but it is also worth saying that the simplicity of the New Orleans model exists in spite of the federal role and its complexities; not because of it.

Therein lies the critical challenge to a quarterly reauthorization of ESEA. Congress must promulgate a framework of accountability, choice, and high quality teaching while keeping its parameters simple for schools whose greatest challenge day-to-day is achieving coherence over confusion.

The vehicle for implementing this framework should be one simple set of parameters from the federal government and one plan from each state. It is time we acknowledge that the fragmented federal structure that gives each title and each grant its own bureaucracy mirrored in every state agency and school district central office in America is among our greatest barriers to progress.

In Louisiana, we have condensed 23 federal grants into one common application for federal dollars from school systems. We need more movement in this direction. Congress should streamline grant requirements. States should propose how to distribute federal dollars to align with their own funding formulas. States that cannot achieve the performance goals entailed in their plans should receive fewer funds.

These federal parameters should call both for state accountability systems that commit to results—especially among historically disadvantaged students—and accountability systems that allow states to innovate on the measures themselves.

In Louisiana, our accountability system is evolving to include not just grade level proficiency and graduation rates but also real world college and career readiness attainment measures such as advanced placement results, dual enrollment credit, and post-secondary employment attainment.

Our system is also evolving towards greater use of individual student progress as a way of measuring school performance. Federal parameters should compel states to design systems in line with these principles but states should have freedom to craft measures.

States should identify schools that persistently underachieve or do not show progress. While the federal formulas for determining these lists have proven bewildering and should be ended, this assurance remains one of NCLB's most important legacies.

At the same time, the legislation's regime of prescribed corrective action did more to generate state and district central office jobs than it did to transform struggling schools.

In New Orleans and in Louisiana, rather than prescribing a plan for turning around every struggling school, we planned for every child in a struggling school to have immediate access to a high-quality school seat by using pre-existing school options more efficiently, opening up new school options, and replacing failed options.

Each state should develop a plan that guarantees a high-quality alternative for every student attending a failing school, and this plan should include any option that has a demonstrated record of student achievement, be it traditional public, charter public, or nonpublic.

Furthermore, if states are serious about improvement in the most persistently low-performing schools they will establish a point at which the status quo school system loses the privilege of educating those schools' students.

Our state's Recovery School District takes struggling schools under an alternate governance umbrella allowing either the state or a new organization to operate the school.

In New Orleans, this model has yielded an increase in literacy and math scores among students in the schools from 23 percent proficiency 6 years ago to 51 percent today.

Finally, if we are going to get the question of educator talent right, we have got to get beyond spending all federal dollars on short-term activities and outcomes.

New Orleans would not be what it is today had government and philanthropists not made long run investments in organizations like Teach For America, New Schools for New Orleans, Relay Graduate School of Education, Building Excellent Schools, and Leading Educators, as well as the nation's best pipeline of charter school management organizations, ready to turn around struggling schools. Federal dollars can help states to scale what works, and state's plans should reflect this.

A strong ESEA reauthorization will be uncompromising in its commitment to accountability but modest in its view of the federal role and its potential to create confusion over coherence.

I hope our experience in Louisiana has proved helpful to your view of the law, and I thank you humbly for the opportunity to share it this morning.

Thank you, Mr. Chairman.

[The statement of Mr. White follows:]

**Prepared Statement of John White, Louisiana State
Superintendent of Education**

Chairman Kline, Representative Miller, members of the committee, I thank you for the opportunity to present today to the House Education and the Workforce Committee some thoughts on the Elementary and Secondary Education Act (ESEA) and the extraordinary opportunity Congress has in considering its re-authorization. Our state's story will reflect well on many provisions entailed within No Child Left Behind (NCLB). But there is much that needs to be changed. A strong reauthorization would benefit our nation's schools and children greatly.

I will base much of what I have to say on our experiences in Louisiana, and in the city of New Orleans most notably. That city's system of autonomous public and private schools, ranked lowest in our state for years, and taken over almost entirely by the state-run Recovery School District six years ago, now graduates students from high school at a higher rate than our state average and, among African-Americans, at a higher rate than the national average.

That success starts with a simple blend of four policies that allows for coherent planning at each school: 1.) Empowered charter school leadership and governance,

where schools receive 98 cents for every dollar of state and local revenue; 2.) Uncompromising accountability based on long-term results; 3.) Citywide parental choice of public and private schools, facilitated by government; 4.) Long-term investments in a pipeline of talented principals and teachers.

Together, these principles form a simple framework for improvement: set a goal, let the educators figure out how to achieve it, give parents a choice of where to send children and resources, and stock the system with strong teachers and leaders.

A particular moment comes to mind when illustrating the power of these principles. A couple years ago I visited ASPIRE Academy, an elementary school in the 9th Ward of New Orleans, a neighborhood particularly devastated by Hurricane Katrina. The school, then in its second year, was founded by a former administrator of a KIPP charter school and had replaced a long-struggling traditional district school. Discussing his plans for the future, he told me that if the school was going to meet its four-year performance targets—an achievement required for the school to remain in our system—he knew that he needed more time with his students, and he knew that his staff would have to provide each child more than just academic classroom instruction.

“We are going early morning to late evening,” he told me. “Three meals a day, full art and music curriculum for every student, and two hours more learning than we are getting today.”

Surprised, given the young age of the students, I asked him why he thought the school should go in that direction.

“First, my parents are asking for it. My kids aren’t getting it at home. It’s what’s necessary to get them on track.”

He continued: “And the reason we are able to do it is that the central office doesn’t run the school; the educators run the school, and the parents chose this school. A grant manager downtown doesn’t tell us how to spend our children’s money. We have our school’s plan for our school’s kids, and all of our resources are focused on that.”

It is worth saying that the New Orleans model of empowered, accountable schools was predated by NCLB’s push to identify low-performing schools and to improve them. This is an important legacy of that law.

But it is also worth saying that the simplicity of the New Orleans model—one where educators and parents rather than bureaucrats make choices on behalf of the kids they know and serve—exists in spite of the federal role and its complexities, not because of it.

Therein lies the critical challenge to a quality reauthorization of ESEA: Congress must promulgate a framework of accountability, choice, and high quality teaching while keeping its parameters simple for leaders of states, districts, and schools, whose greatest challenge day to day is achieving coherent planning around the needs of students.

Empowered Leadership

The vehicle for implementing this framework should be one simple set of parameters from the federal government and one plan from each state. It is time we acknowledge that the fragmented federal structure that gives each title and grant its own bureaucracy, mirrored in every state agency and district central office in America, is among our greatest barriers to progress. It pulls educators in different directions when the great struggle of a school is to get everybody working together.

In Louisiana, we have condensed 26 federal grants into one common application for dollars from school districts. Our districts are using new flexibilities, allowing them to spend on critical services central to their plans for change.

We need more movement in this direction. Progress starts with allowing educators to think for themselves and to innovate in response to accountability. Congress should streamline grant requirements. States should propose how to distribute federal dollars in ways that align with their own funding formulas.

States that won’t work within the federal parameters should not take federal dollars. States that cannot achieve the performance goals entailed in their plans should receive fewer funds.

We must dispense with reports that go unused, incessant grant applications, contradictory planning processes, and inconsistent spending requirements. That starts with simplifying the federal framework into one simple set of parameters and one simple plan from each state.

Accountability for Results

The federal parameters should both call for state accountability systems that commit to results, especially among historically disadvantaged students, and allow states to innovate on measures themselves. In Louisiana, our accountability system

is evolving to include not just grade level proficiency and graduation rates, but also real-world college and career attainment measures such as Advanced Placement results, dual enrollment credit, and post-secondary employment attainment. Our system is also evolving toward greater incorporation of individual student progress as a way of measuring school and district performance. Federal parameters should compel states to design systems in line with these principles, but states should have freedom to craft measures.

The ultimate promise on which states should deliver is student achievement, and federal funds awarded should in part be predicated on demonstrated outcomes. To that end, states should also articulate long-term performance objectives and annual benchmarks along the way.

States are policy laboratories, and we should not limit continued innovation in accountability systems. The federal government is right to define parameters for strong accountability tied to outcomes, but Congress should be wary of over-prescribing the measures entailed.

Consequences: Parental Choice

States should identify schools that persistently under-achieve or do not show progress. While the federal formulas for determining these lists have proven bewildering and should be ended, this assurance remains one of NCLB's most important legacies.

At the same time, the legislation's regime of prescribed corrective action did more to generate state and district central office jobs than it did to transform struggling schools. States should create plans that guarantee greater opportunity for students trapped in low-performing schools rather than reams of pro forma plans approved by Washington.

In New Orleans and in Louisiana, when we talk about low-performing schools, we don't start with the question of how to turn around every school. We start with the question of ensuring a great school seat for every child. We plan on that basis, using pre-existing school options more efficiently, opening up new school options, and replacing failed options, with the goal of every child having immediate access to a high-quality school seat.

Each state should develop a plan that guarantees a high quality, viable alternative for every student attending a failing school. This plan should include any option that has demonstrated a record of student achievement: traditional public, charter public, non-public, or otherwise. In New Orleans, students enroll in public schools and in publicly funded private schools through the same process. This year, a full 20 percent of parents seeking a new school listed both private schools and public schools on their applications.

And where states propose to convert currently struggling schools into better schools using federal dollars, they should be required to change the governance of the schools in question. Prescribed corrective action from Washington that maintains current status quo governance does not work. If states are serious about improvement in the most persistently low-performing schools, they will establish a point at which the status quo school system loses the privilege of educating those schools' students and others are invited in to make change happen.

Our state's Recovery School District takes struggling schools under an alternate governance umbrella, allowing either the state or a new organization—such as a charter school management organization—to operate the school without interference. In New Orleans, this has yielded an increase in literacy and math scores among student in those schools from 23 percent proficiency six years ago to 51 percent today.

Teacher and Principal Pipeline

Requiring states to report school-level outcomes spurred a focus on schools that states and districts had forgotten about. States should likewise report and improve workforce measures. But the measures should speak more holistically to the quality of the workforce than do teacher evaluation outcomes alone. States should, for example, report entry requirements for teacher preparation programs and measurable outcomes of those programs, along with the results achieved by their graduates.

Finally, if we are going to get the question of educator talent right, we have to get beyond spending all federal dollars on short-term activities and outcomes. If we are serious about achieving educator effectiveness, states should use a percentage of federal dollars for long-term investments in scaling accountable, effective teacher and principal preparation programs, including effective charter school management organizations. New Orleans would not be what it is today had government and philanthropists not made long-term investments in organizations like Teach For America, New Schools for New Orleans, Relay Graduate School of Education, Building

Excellent Schools, and Leading Educators, as well as the nation's best pipeline of charter school management organizations, ready to turn around struggling schools. Federal dollars can help states to scale what works, and state's plans should reflect this.

Educating children, especially the most disadvantaged, is an endlessly complex activity. It requires a relentless focus on measurable outcomes, coupled with the dexterity to be creative and adjust course. A strong ESEA reauthorization will be uncompromising in its commitment to accountability but humble in its view of the federal role and its potential to create confusion more than coherence. I hope our experience in Louisiana has proved helpful to your view of the law, and I thank you humbly for the opportunity to share it this morning.

Chairman KLINE. Thank you, Mr. White.
Dr. Richardson, you are recognized for 5 minutes.

STATEMENT OF CHRIS RICHARDSON, SUPERINTENDENT OF SCHOOLS, NORTHFIELD PUBLIC SCHOOLS

Mr. RICHARDSON. Chairman Kline, members of the committee, school districts across the country have seen some major positive impacts in the implementation of No Child Left Behind.

First, the focus on achievement data moved districts from implementing changes based on whether it seemed like the right thing to do, to doing it and looking at how students are performing and making changes based on data.

Second, schools moved from examining only average scores of all groups combined to disaggregating data, looking closely at students in each subgroup, and responding to the needs of all subgroups.

Finally, the focus on each subgroup identified the achievement gap that exists in many school districts between white students and students of color, those in poverty, with disabilities, and English learners.

At the same time, NCLB is deeply flawed.

First, the focus on reading and mathematics not only fails to consider the importance of things like science, social studies, the arts, and vocational education, but it also totally ignores 21st century workforce skills.

Second, the reliance on the test given at a single point in time in the year as the sole measure of a student's proficiency or growth is inherently unfair.

Finally, the draconian sanctions placed on schools identified as "in need of improvement" financially punishes schools and students that face the greatest challenges.

So what needs to change?

First, Congress needs to reauthorize the ESEA as soon as possible, providing relief for the broken components of current law. While the waiver process has spared some from the unworkable sanctions, it leaves this country without consistent action.

Second, the reauthorization must recalibrate the federal and state roles in education. Federal investment in public education represents, on average, just 10 percent of total district expenditures. Reauthorization should ensure that federal policy establishes a proportional role.

Second, the federal government must set broad parameters around testing, allowing multiple measures determined at the state and local level with clear expectations for disaggregation of data,

identification of achievement gaps, district and school improvement plans, professional development, and communication.

Third, each state in collaboration with districts should have the authority to implement and individualize these parameters based on their needs, determine the suite of assessment tools that is appropriate, and establish the structure for district and school improvement.

Finally, each state and district should have the flexibility to use federal funding in ways that positively impact student success allowing those folks that are closest to the students to address their unique needs.

I would like to share three quick stories about Northfield that I believe mirror how districts across the nation are using data to creatively address student needs.

First, every Northfield teacher is part of a grade level or subject area Professional Learning Community, or PLC. Their responsibility is to analyze data about their students and address their needs.

The work of PLCs resulted in implementation of Response to Intervention or RTI in every elementary building in our district. Each PLC team combs data, identifies students not on track, determines appropriate interventions, implements those interventions.

Many students are back on track within 6 weeks. This significantly reduced referrals for special education with only 20 initial referrals this year in comparison to 80 or 90 referrals for special education in each of the last 5 years. More importantly, students have the skills to continue to access the regular curriculum at grade level.

A second example, a high school PLC's team's longitudinal data showed failing classes as a freshman increased the chances that students would either not graduate on time or would drop out. The PLC developed the Academy with staff who taught a smaller number of struggling students for half the day.

Academy staff monitored performance and supported students during the day and after school providing follow-up and individual instruction. After implementation, the percentage of freshmen failing dropped from 25 percent down to 8 percent and our graduation rate went up to 96 percent.

The third example, less than a decade ago, our Latino immigrant students in Northfield who make up about 12 percent of our population were struggling with a graduation rate of 36 percent. The grad rate of white students was 90 percent.

Few Latino students attended post-secondary activities. They created a program called TORCH; Tackling Obstacles Raising College Hopes, to help support and provide career exploration post-secondary opportunities. Today, our graduation rate for Latinos is over 90 percent. We have got an 1100 percent increase in TORCH graduates accessing post-secondary ed.

I think it is important to realize as we go forward that not only do we need to address the academic needs but we also need to address the fact that teachers need the professional development and also that kids and families need to be connected with if we are going to ensure success.

Thank you.

[The statement of Dr. Richardson follows:]

**Prepared Statement of Dr. L. Chris Richardson, Superintendent of Schools,
Northfield Public Schools, Northfield, MN**

Chairman Kline and Members of the Committee, my name is Dr. Chris Richardson, superintendent of the Northfield Public Schools in Northfield, Minnesota. Over my forty-three year career in education, the first ten years were spent as a middle school teacher and instructional team leader, secondary principal, curriculum director, and for the last thirty-three years as superintendent of six Iowa, Nebraska, and Minnesota school districts. In 2012, I was selected as the Minnesota Superintendent of the Year.

My teaching and administrative experiences have been in diverse districts with enrollments ranging from 250 to 22,000 students K-12. I am currently completing my ninth year as superintendent of the Northfield Public Schools after leading the Osseo Area schools from 1997-2004. Northfield Public Schools has approximately 3,900 students K-12 of which approximately 83% are White, 12% are Hispanic and 5% other students of color. English learners comprise 8% of our students, 13% are identified for special education services and 25% qualify for free or reduced price meals.

During my career as a superintendent, I have led districts in responding to “A Nation at Risk” in the 80’s, “Goals 2000” in the 90’s and “No Child Left Behind” or NCLB during the last decade. In the last few years, districts in Minnesota and a number of other states have been operating under the waiver provisions granted by the Department of Education.

School districts across Minnesota and the country have seen some major positive impacts in the implementation of No Child Left Behind, the current ESEA act.

- First, the focus on student achievement data has moved school districts from implementing programs or making changes based on whether it seemed like the right thing to do, to looking in detail at how students are performing and making changes and modifications based on what that data shows.

- Second, schools have moved from examining and reporting only the average scores of all groups combined to disaggregating the data so that we look closely at how students in each subgroup are performing and respond with specific supports to meet the needs of all students.

- Finally, the focus on disaggregated data for each subgroup has clearly identified the achievement gap that exists in many school districts between our White students and our students of color, students in poverty, students with disabilities, and students who are English learners.

At the same time, NCLB is deeply flawed.

- First, the focus on reading and mathematics not only fails to consider the importance of science, social studies, the arts, health and physical education and vocational technical education, but totally ignores the development of 21st century work-force skills needed by our students.

- Second, the reliance on a test given at a single point in time as the sole measure of a student’s class, school building, or district’s proficiency or growth is inherently unfair. It is the equivalent of judging the worth of an elected official based on a single vote.

- Finally, the draconian sanctions placed on schools and districts that are identified as “in need of improvement” financially punishes those schools and students that face the greatest challenges.

So what needs to change?

- First, Congress needs to reauthorize the Elementary and Secondary Education Act as soon as possible, providing all schools and students with relief from the broken, outdated components of current law. While the waiver process has spared some states like Minnesota and school districts like Northfield from the unworkable sanctions embodied in NCLB, it leaves this country without a consistent focus and direction in education at a time when it is much needed.

- Second, the reauthorization must reestablish and recalibrate the federal and state roles in education. Federal investment in public education represents, on average, just ten percent of total district expenditures. As such, any reauthorization should ensure that federal policy establishes, at most, a proportional role, to avoid the proverbial “tail wagging the dog”. The federal government must set broad parameters around testing and measurement allowing multiple measures of proficiency and growth determined at the state and local level. Additional federal parameters around disaggregation of data and identification of achievement gaps are needed as well as the need for district and school improvement plans, professional development and requirements for communication with constituents. Each state in

collaboration with local districts should have the authority and responsibility to implement and individualize these parameters based on their identified needs. Each state should be able to determine the suite of assessment tools that best measure proficiency, growth and college and career readiness. Each state with meaningful involvement of local districts should be able to establish structures for school improvement plans, and district goal setting of performance targets, achievement gap reduction and student growth.

- Finally, each state and district should have the flexibility to use federal funding in ways that provide the best opportunity to positively impact student success. District flexibility allows those closest to the students to address unique student needs in ways that are most effective for those students.

I would like to share three brief stories about what we are doing in the Northfield Public Schools that mirror the efforts that I believe are occurring across this country. These efforts reflect how local districts are using data to creatively address student needs and increase student success. They also demonstrate the power of giving local districts and schools the opportunity to develop and implement plans embraced by local teachers and staff that change the lives of students.

The Northfield Public Schools has been implementing professional learning communities (PLCs) for several years. Every teacher in every building is part of a grade level or subject area PLC which meets for one hour every week during the school day. Each PLC is responsible for analyzing the data about the students they serve, and developing and implementing goals and instructional strategies for addressing student needs.

The work of PLCs has resulted in the implementation of Response to Intervention or (RtI) in every elementary building. Each building PLC team, with the help of an RtI coach, combs through the data about students, identifies students who are not on track to succeed, determines scientifically based interventions, and implements those interventions with fidelity over multiple weeks. Many of the students are back on track in six weeks and others receive additional interventions to support their learning. The bottom line is that this process has significantly reduced the number of elementary referrals to special education in all buildings with only 20 initial referrals this year in comparison to 80-90 referrals on average in each of the last five years. More importantly, it provides these students with the skills to continue to access the regular curriculum at grade level, so they don't fall behind.

At the high school level, a PLC team determined that a number of incoming ninth graders were struggling academically and therefore at risk of failing one or more classes as freshmen. Longitudinal data told them that failing one or more classes as a freshman significantly increased the chances that these students would not graduate on time or would drop out later in high school. The PLC developed the Academy and selected a group of struggling students. Academy teaching staff worked with a smaller number of students while other teachers took on larger numbers of students who were not at risk. The struggling students were taught for half of their day by a team of teachers who carefully monitored their performance and supported them both during the day and after school with a seminar providing follow up, tutoring and individual instruction in addition to their regular classes. After several years of implementation, the percentage of freshmen failing one or more class has dropped from almost 25% down to less than 8% and our four year graduation rate now exceeds 96%.

Less than a decade ago, Latino immigrant students in Northfield who make up 12% of the student population were struggling with a graduation rate of only 36% while the graduation rate of our White students was over 90%. Few Latino students attended a postsecondary program. Staff members worked with the community to develop a program to address the achievement gap and to support Latino students and their families. Working collaboratively, we implemented the Northfield Tackling Obstacles and Raising College Hopes (TORCH) initiative to provide academic and social support, mentoring, career exploration, and connections with post-secondary education opportunities for Latino youth in grades 9-12.

The first goal of TORCH is to improve academic success and school/community connectedness through individual academic counseling; one-on-one mentoring; transitions to more academically-rigorous classes; bridging the Digital Divide; youth service; student leadership opportunities; and regular family check-in's. The second goal of TORCH is to increase access and participation in postsecondary education through career/college exploration and workshops; summer enrichment activities that improve academic skills; college visitations; ACT and Accuplacer prep; assistance with college/financial aid applications; and communication with graduates.

Over the past six and a half years, TORCH has seen remarkable results. Today, the Latino graduation rate in Northfield has climbed to over 90%. There has been an 1100% increase in TORCH graduates who have accessed postsecondary education

programs and earned bachelor's degrees, associate's degrees, and postsecondary certificates. Based on our success, TORCH expanded in 2007 to serve all Northfield youth in grades 9-12 who are racial minorities, low-income, and/or potential first-generation college attendees. Many of our Latino students fit into all of these categories. High school success also required stronger academic and social supports for TORCH-eligible youth in middle school so TORCH expanded to middle school students in grades 6-8 providing academic and social support and an even stronger foundation for future success.

The bottom line is that teachers and administrators in Northfield and districts across Minnesota and the nation have continued to step up to address the academic needs of the students we serve, just as we did before NCLB was implemented. We also know that the power of professional learning communities for teachers and personally connecting with kids and families is just as important as academic instruction in ensuring student success. We understand the political and funding issues you face and sincerely hope you understand the complexity of the education effort we undertake every day with every student.

A reauthorized ESEA needs to provide the broad federal parameters that maintain the focus on continuing to use the data we have about children to increase student proficiency and reduce the achievement gap. At the same time, it needs to provide the assessment, programming and funding flexibility to each state and school district necessary to support the professional expertise—and unleash the creativity of—our educators, the teachers and administrators, working in our classrooms and schools every day to make instructionally sound decisions driven by a never-ending desire to improve student learning. Please work to find that compromise. Our children and our future depend on it.

Chairman KLINE. Thank you, Chris.
Mr. Gordon, you are recognized for 5 minutes.

**STATEMENT OF ERIC S. GORDON, CHIEF EXECUTIVE OFFICER,
CLEVELAND METROPOLITAN SCHOOL DISTRICT**

Mr. GORDON. Thank you.

Good Morning Chairman Kline, Ranking Member Miller, and members of the committee. Thank you for the opportunity to testify on accountability and school improvement initiatives in our nation's public schools.

I want also to recognize Congresswoman Marcia Fudge, known well in Cleveland for her advocacy of every child's right to a quality education.

The Cleveland Metropolitan School District is the second largest school district in Ohio, where more than 40,000 students and their families count on us to provide the best education possible for them.

Our system is particularly challenged by having a 47 percent census poverty rate, the second highest among the nation's Great City Schools, and a free and reduced price lunch rate of 100 percent, meaning all students are served free breakfast and lunch. We further serve 22 percent special needs children and 6 percent for whom English is a second language.

In Cleveland, we talk often about a Nation at Risk. Prior to my appointment as CEO, I served as the chief academic officer and was one of the main architects of a transformation plan designed to move the district forward.

However, that plan was quickly mired in contractual and legal barriers and that led me, our Democratic mayor, and ultimately our Republican governor to approach both sides of the Ohio House and Senate and seek legislation that helped us create the Cleveland Plan, which has since drawn national attention for a collabo-

rative approach that I believe provides a frame for how we can think about the role of federal policy as well.

Even with some of the toughest challenges in the nation, Cleveland has embraced accountability, as demonstrated by volunteering for the local Trial Urban NAEP testing initiative with the high academic standards set by the independent National Assessment Governing Board.

It should not be surprising, therefore, that I support requiring Title I-funded schools to set academic performance targets to anchor and guide their schoolwide and targeted-assistance plans.

And, while consensus on a precise trajectory for progress for each such school may not be attainable, continuing growth in these highest needs schools should be the pivotal element particularly with so many students performing below proficiency and many of the low achieving student groups also performing below their state-wide average peers.

Moreover, NAEP has demonstrated that far greater numbers of students are not proficient when tested against higher academic standards similar to the Common Core standards adopted by many states including Ohio.

And when we say accountability in Cleveland we mean it and we have done it—done so by putting our money where our mouth is, where my colleagues and I have asked our voters to support a \$15 million levy that they cannot afford but holding us accountable by taking it away in 4 years if we are unable to succeed.

Some of the federal statutory and regulatory barriers to school reform have been removed through the flexibility provided to Ohio and other states under the U.S. Department of Education's waivers.

With a shared commitment and some—excuse me—from which we can learn. Otherwise, under the decade old No Child Left Behind, 100 percent proficiency requirements would have overwhelmed the capacity of our system, requiring improvement plans for nearly every school.

One of my strongest appeals is for legislation that allows a reform minded-leader and school system like Cleveland to focus and target our time, people, and resources to improve our schools rather than using a one-size-fits-all model.

With the shared commitment and additional flexibility, Cleveland schools can model the most visionary and successful reform strategies in the country and replace the one-size-fits-all reform plans of the past with a portfolio school model that provides results in other cities around our nation allowing for autonomy at our school level in exchange for accountability, providing choices for families, increasing the ability to hire and place staff at the school level, and driving resources based on student-weighted funding needs as opposed to district-wide enrollment numbers.

Without federal support for disadvantaged students and accompanying accountability expectations in ESEA, districts like Cleveland would have truly been left behind.

I would encourage an increased federal investment in ESEA to help underwrite the types of reforms that Cleveland has initiated and the movement toward world-class academics for all students.

The traditional provisions of federal law that protect the integrity and impact of federal funding such as maintenance of effort, supplement not supplant, and others continue to be important. Yet, there is still need for some additional flexibility to allow superintendents, like myself, to better tackle academic and capacity problems in our most difficult Title I schools that are constrained by rigid requirements and unnecessary paperwork.

I would challenge, however, the assumption that delegating those requirements to the states is the simple and best answer to resolving implementation problems because of the state requirements that I struggle with daily as the superintendent.

I am also concerned about state actions to avoid NCLB accountability, lowering state academic standards and proficiency cut scores, or establishing super subgroups that allow us to hide individual subgroup accountability.

The economic downturn over the past years has had a devastating impact in Cleveland and in our state, and sequestration of important federal education aid for low income, minority, and English language learners along with students with disabilities has had a further disruptive effect on educational services.

Nonetheless, I remain optimistic about the Cleveland Plan inspired by the citizens in our community trying to improve the success for students, and I look forward to your support through the reauthorization that will give my colleagues and me the tools we need to improve the work in America's schools today.

Thank you for the opportunity to testify.

[The statement of Mr. Gordon follows:]

**Prepared Statement of Eric Gordon, Chief Executive Officer,
Cleveland Metropolitan School District**

Good Morning Chairman Kline, Ranking Member Miller, and members of the Committee. I am Eric Gordon, the Chief Executive Officer of the Cleveland Metropolitan School District. Thank you for the opportunity to testify on accountability and school improvement initiatives in our nation's public schools. I want also to recognize Congresswoman Marcia Fudge, known well in Cleveland for her advocacy of every child's right to a quality education.

The Cleveland Metropolitan School District (CMSD) is the second largest school district in Ohio, where more than 40,000 students and their families count on us to provide the best education possible for them. Our school system is particularly challenged by having a 47% Census poverty rate, the second highest among the nation's Great City Schools, and a free and reduced price lunch rate of 100%.

Prior to my appointment as CEO, I served as Cleveland's Chief Academic Officer and one of the main architects of a transformation plan to move Cleveland forward to become not only a premier school district in the United States, but also a district of premier schools. This aggressive plan to graduate our children ready for jobs and higher education at times has been mired in contractual and legal barriers to school reform-barriers that citizens and leaders across Cleveland and on both sides of the legislative aisle at the State Capital, have worked to overcome. The Cleveland Plan drew national attention in the New York Times, the Wall Street Journal and the National Review as a model of collaboration that brought Democratic Mayor, Frank Jackson and Republican Governor, John Kasich together in a common mission to do what's right for kids.

Moreover, some of the federal statutory and regulatory barriers to school reform also have been removed through the flexibility provided to Ohio under the U.S. Department of Education's waiver initiative, allowing us to better target reform efforts on the schools in greatest need and more productive spending of federal Title I funds on effective school improvement measures. Otherwise, under the decade-old No Child Left Behind Act (NCLB), the 100% proficiency requirement for students in every subgroup for school year 2013-2014 would have overwhelmed the capacity of the district by requiring improvement plans, corrective action plans, or restruc-

turing plans in nearly all of Cleveland's schools, as well as directed expenditures to Supplemental Education services (SES) that have demonstrated minimal academic value since the 2002 enactment.

Notably, however, the critical requirements of the Elementary and Secondary Education Act (ESEA) still remain in Cleveland and Ohio, and still warrant continued support. Accountability for the performance of disadvantaged groups of students (low-income, minority groups, English learners, and students with disabilities) is essential, as well as transparent reporting of assessment results in the aggregate and in the disaggregated form, remains appropriately the cornerstones of federal aid.

Even with some of the toughest challenges in the nation, Cleveland has embraced accountability, as demonstrated by volunteering for the local Trial Urban NAEP testing initiative with the high academic standards set by the independent National Assessment Governing Board. It should not be surprising, therefore, that I support requiring Title I-funded schools to set academic performance targets to anchor and guide their school wide and targeted-assistance plans. And, while consensus on a precise trajectory for progress for each such school may not be attainable, continuing growth should be the pivotal element—particularly with so many students performing below proficiency and many of the low-achieving student groups also performing below the overall statewide average. Moreover, the National Assessment of Education Progress has demonstrated that far greater numbers of students are not proficient when tested against higher academic standards, similar to the Common Core standards now adopted by the vast majority of states.

Now with a shared commitment and some additional flexibility, our Cleveland schools can better model the most visionary and successful reform strategies in the country, and have replaced the “one size fits all” reform plans of the past with a portfolio school model that is producing dramatic results in cities throughout the nation. The portfolio model allows for—

- greater autonomy for our schools and increased accountability for producing the results our families expect and our children deserve;
- families to have school choices and access to high quality public and charter school options in every neighborhood which fosters public engagement;
- increased autonomy for schools to hire and place staff where they are needed most and to direct resources where they will make the most difference; and
- student-weighted funding formulas to determine school budgets with decisions based on individual student needs rather than enrollment numbers.

Reforms, school improvement strategies, and school intervention measures instituted in Cleveland include—

- focusing on the District's Central Office on Key roles and transfer authority and resources to schools;
- growing the number of high performing district and charter schools in Cleveland;
- investing and phasing in high-leverage system reforms including high quality preschool education, year round-calendar, talent recruitment, and capacity building for staff;
- extensive community engagement; and
- performance-based accountability for educators and staff

Concurrently, Cleveland is aggressively implementing the Common Core standards adopted by the State of Ohio. I can't overstate the challenge which these world-class academic standards present to our School Board, district administration, and every principal and teacher in Cleveland. And, we are probably more aggressive in approaching this increased academic rigor than most school districts. Although we still have more to do, Cleveland has taken the following steps thus far to improve our schools—

- Provided training for all staff that develops and prioritizes mastery of rigorous educational standards aligned to state standards
- Developed and monitored a guaranteed and viable Scope and Sequence for all subjects
- Carefully monitored student growth using a variety of measures throughout the school year
- Implemented research-based classroom instructional strategies
- Measured non-academic indicators of student achievement using conditions for learning surveys throughout the school year to yield better decision planning for staff
- Provided Social and Emotional Learning Curriculum for all students that promotes emotional and academic growth
- Increased our technology options for all students

Without federal support for disadvantaged students and accompanying accountability expectations in ESEA, districts like Cleveland would have truly been left be-

hind. I would encourage an increased federal investment in ESEA to help underwrite the types of reforms that Cleveland has initiated and the movement toward world-class academics for all students. The traditional provisions of federal law that protect the integrity and impact of federal funding (i.e. maintenance of effort, supplement not supplant, etc.) continue to be important. Yet, there is still need for some additional flexibility to allow superintendents, like myself, to better tackle academic and capacity problems in our most difficult Title I schools that are constrained by rigid requirements and unnecessary paperwork. But, the presumption that delegating federal requirements to the States is the best answer to resolving the implementation problems of NCLB is rebutted by conflicting state requirements that I struggle with daily as superintendent, and documented state actions to avoid NCLB accountability through statistical manipulations, lowering state academic standards, lowering proficiency cut scores, or establishing a super-subgroup under waivers in order to avoid subgroup-by-subgroup accountability.

The economic downturn over the past few years has had a devastating impact on our city and state. And, the sequestration of important federal education aid for low-income, minority, English learners, and students with disabilities has had a further disruptive effect on educational services.

Nonetheless, I remain optimistic about the Cleveland Plan, and inspired by the citizens of our impoverished jurisdiction who passed a 15-mill levy to support the Plan and our commitment to providing a premier public education for all of our students.

Thank you for the opportunity to testify today.

Chairman KLINE. Thank you, Mr. Gordon.
Mr. Given, you are recognized for 5 minutes.

**STATEMENT OF MATTHEW GIVEN, CHIEF DEVELOPMENT
OFFICER, EDISONLEARNING**

Mr. GIVEN. Chairman Kline, Senior Democratic Member Miller, and members of the committee, thank you for this opportunity to address you today.

I have been asked to discuss innovative state strategies and approaches to accountability in ways in which states and school districts are taking the lead on education reform. I hope that you find my remarks useful as you continue your deliberations on the reauthorization of the Elementary and Secondary Education Act.

First, as context, I would like to provide a brief description of EdisonLearning. EdisonLearning is a premier education solutions provider dedicated to improving outcomes for students in elementary and secondary schools around the world.

We have served hundreds of schools and hundreds of thousands of students, primarily economically disadvantaged students, with the focus on school turnaround and innovative virtual and blended learning solutions.

Recent initiatives to provide states more flexibility as well as incentives for innovation have given us a glimpse of what states are doing with respect to accountability and for expanded transparency.

Initiatives have included new school grading systems, the provision of interventions to turnaround persistently low performing schools, and renewed focus on high school graduation and college and career readiness.

The following are some major trends in those areas we have seen in our work with states, districts, and schools. As states have become more proficient and expansive in their assessment of schools we are seeing building level challenges earlier than ever.

Various school grading regimes provide a more detailed view of school performance and provide an opportunity to take corrective action before schools are labeled persistently underperforming.

One of the most effective policies we have seen is the introduction of external partners to improve the quality of public education. Several states have developed a request for proposals process for approving external partners and many require the low performing partners to partner with an approved organization and take state-defined steps to increase achievement while leveraging state and federal resources.

For example, under Indiana law, if a school remains in the lowest performing category for 5 consecutive years, the state board must consider assigning a special management team to operate all or part of the school.

In addition, the Indiana Department of Education has developed a list of approved partners that may provide targeted or comprehensive support to struggling schools.

We have worked successfully across Indiana, most recently as a partner in Gary. Our early wins point to long-term success. We have seen increased family and community engagement and significant achievement gains in reading and mathematics.

Virginia has a similarly robust accountability system and conducted its own RFP process in 2009 to identify qualified lead partners. Only four organizations, including EdisonLearning, were deemed to meet the state's standards for high-quality, comprehensive school improvement services.

We have been able to demonstrate our ability to turn around low-performing schools by working shoulder to shoulder to strengthen school leadership, improve the use of data, and support standards-based instruction. Based on our history of efficacy, EdisonLearning is an approved partner in 12 of the states.

Federal policy should encourage comprehensive turnaround partnerships without dictating the specific strategies to be implemented. Where No Child Left Behind fell short was in dictating rigid turnaround options rather than giving states flexibility to implement promising research-based strategies that would meet the needs of particular schools including the districts' capacity and strategy.

The recent shift in graduation reporting requirements highlighted the need for high school reform. What is needed now is a set of policies that promote innovative, data-driven approaches to secondary education in conjunction with accountability systems that reflect the new post-secondary reality of 21st century college and career requirements.

Virtual and blended learning programs are some of the most promising methods that can be leveraged to address secondary school challenges. In our experience, the most compelling example of the effective use of blended learning is for the re-engagement of students who have dropped out of school or are at risk of doing so.

Through a strategic partnership with Magic Johnson Enterprises, we have been able to serve students who want to graduate but have found the obstacles overwhelming.

There is a role for the federal government to play in incentivizing data-driven reform and we commended the efforts to promote innovation that leads to better outcomes.

At the same time our experience tells us that these incentives can be made more effective in several ways and ultimately reform cannot succeed if states, districts, schools, and their communities do not buy into it and share accountability for it.

Specific lessons we have learned from our partnerships are: incentives in the form of funding to improve low-performing schools are a necessity regardless of where they come from; prescription must include specific support for low-performing schools including partnering with experts to improve teaching and learning.

These supports must be triggered early. The longer a school struggles, the greater chance that a self-fulfilling culture of defeat will settle in making change even more difficult.

New strategies such as blended learning must be employed to increase the number of college-and career-ready graduates. The reauthorization of the Elementary and Secondary Education Act provides a tremendous opportunity to further innovation that leads to measurable, sustainable improvements for all students.

We agree that schools must be held accountable for teaching all students and cannot walk away from failure. In high schools in particular, we underscore the pressing nature of the challenge faced by millions of students who may not graduate and will be underprepared for college or career.

The next generation of ESEA must balance the need for greater state and local flexibility with the need to encourage increased accountability and transparency.

Thank you, Mr. Chairman.

[The statement of Mr. Given follows:]

**Prepared Statement of Matthew Given, Chief Development Officer,
EdisonLearning, Inc.**

Members of the Committee, thank you for this opportunity to address you today. I've been asked to talk about innovative State approaches to accountability and ways in which States and school districts are taking the lead on education reform. I hope that you find my remarks useful as you continue your deliberations on the reauthorization of the Elementary and Secondary Education Act.

About EdisonLearning

Before I discuss what we're seeing "on the ground," I want to provide some information about EdisonLearning to give context to my testimony. EdisonLearning is an education solutions provider dedicated to improving outcomes for students in elementary and secondary schools around the world. We currently partner with schools and organizations in 25 States, the United Kingdom, and the Middle East. Our core competencies, reflected in our extensive portfolio of K-12 solutions, are the product of nearly two decades of research, practice, and refinement based on quantitative and qualitative data. EdisonLearning has nearly twenty years of expertise in education reform, partnering with school districts, governments, and charter authorizers and boards. We are a State-approved turnaround partner in 12 States: California, Colorado, Delaware, Hawaii, Illinois, Indiana, Kentucky, Michigan, Missouri, South Carolina, Virginia, and Wisconsin.

State and District Trends

Recent initiatives to provide States more flexibility and incentives for innovation have given us a glimpse of what States are doing with respect to accountability for student success and expanding transparency, including through new school grading systems, and providing interventions to turn around persistently low-performing schools. The following are some of the major trends in these areas that we have seen in our work with States, districts, and schools.

Partnering for Success

One of the most effective practices that we have seen is the use of external partners to improve the quality of public education. Several States have developed a Request for Proposals (RFP) process for approving external partners, using certain State and federal resources, and many require that low-performing schools partner with an approved organization and take legislatively defined steps to increase student achievement. Mass Insight's School Turnaround Group, which is a national leader in school turnaround research, counsels, "[a]n RFP (Request for Proposal) is a critical first step in vetting and selecting Lead Partners to manage school turnaround efforts."¹ By rigorously vetting providers through a competitive process, States can set a high bar for services, have better oversight of improvement efforts, and insulate districts from the costs associated with competitive procurement, while still giving districts the flexibility to select providers that best meet their needs. Some States also allow districts to choose partners that are not on the State-approved list if these partners offer proven improvement strategies. We have observed increased interest at the district level in partnering for professional development—often in specific content areas—and innovative approaches to instruction.

Comprehensive Turnaround Partnerships

Comprehensive turnaround support continues to find an increasingly receptive audience at the State level. "Comprehensive" means different things in different contexts; it can range from hands-on instructional improvement services to full management of educational and operational components of a school. One State that is relatively prescriptive in its requirements for low-performing schools is Indiana, where we are currently working with four schools to increase student achievement.

Under Indiana law, if a school remains in the lowest performance category for five consecutive years, the State Board must consider assigning a "special management team" to operate all or part of the school. In addition, the Indiana Department of Education (IDOE) has developed lists of approved "Lead Partners" and "Turnaround School Operators" that may provide targeted or comprehensive support to struggling schools.

Within this system, EdisonLearning is currently working closely with the IDOE to turn around one of the State's lowest-performing high schools in Gary, Indiana. We conducted a comprehensive needs assessment of the school to determine what interventions were needed to accelerate achievement. Based on this "Collaborative Quality Analysis," we developed a detailed plan to address the school climate and culture, which we found to be major factors in the school's low academic performance. This year we have begun to implement our whole school reform model, with a focus on the school climate and community engagement. Our early "wins" point to long-term success. We have seen increased family and community engagement and significant achievement gains in Reading and Math in grades 11 and 12. We have also begun working with an intermediate school in Marion, Indiana.

Virginia has a similarly robust accountability system and conducted its own RFP process in 2009-10 to identify qualified lead partners. Only four organizations, including EdisonLearning, were deemed to meet the State department of education's standards for high-quality, comprehensive school improvement services. When we partnered with our first Virginia schools in 2010, we met some resistance to our presence, but that quickly changed as we have been able to demonstrate our ability to turn around low-performing schools by strengthening school leadership, improving the use of data, and supporting standards-based instruction.

In addition, several other Virginia school divisions have expressed interest in turnaround or dropout recovery programs. The aggressive bipartisan effort of Governor Bob McDonnell to enact further reform measures in the Commonwealth has raised hope that more schools will have the opportunity to benefit from additional help in implementing turnaround strategies. Key among the new reforms is the creation of the Opportunity Educational Institution to enable State takeover of failing schools similar to Louisiana's Recovery School District (RSD) and Tennessee's Achievement School District.

As I mentioned earlier, EdisonLearning is an approved partner in 12 States. While some of these States have developed well-defined intervention systems to support low-achieving schools, others seem hesitant to follow through with the type of successful interventions that I've described. Federal policy should encourage comprehensive turnaround partnerships without dictating the specific strategies to be implemented. Where No Child Left Behind fell short was in dictating rigid turn-

¹ School Turnaround Group (2011). Forging partnerships for turnaround: Emerging lessons from state RFP processes. Mass Insight Education.

around options rather than giving States flexibility to implement promising, research-based strategies that would meet the needs of a particular school.

Targeted Partnerships

Another way in which States work with outside providers such as EdisonLearning is by partnering to provide high-quality, targeted embedded support, including professional development, training, coaching, and modeling. This trend is no coincidence. The advent of more rigorous State standards and their focus on preparing students for college and careers requires thoughtful unpacking, mapping, and pacing of curriculum and instruction to meet the call for college and career readiness.

State-run Districts

As we will likely hear today from State Superintendent John White, Louisiana pioneered the modern State-run model in 2003 when the legislature established the RSD, an entity that was originally focused on turning around low-performing schools in New Orleans. The RSD has fostered significant achievement gains and elimination of the achievement gap between students in Orleans Parish and those in the rest of the State.² It is a frequently referenced model for State intervention. Leading the next generation of State-run turnaround districts are the Achievement School District in Tennessee, District 180 in Kentucky, and the Education Achievement System in Michigan. Kentucky in particular has done an excellent job of holding its District 180 schools accountable for implementing ambitious improvement strategies.

Keeping It “In-house”

Another trend that we have seen is a State-level commitment to deliver professional development and turnaround support “in-house” through statewide or regional support networks. Unfortunately, these kinds of initiatives are logistically complex, and many States do not have the capacity to provide individualized support to thousands of schools. Large-scale turnaround is a formidable task, but qualified organizations like EdisonLearning can help States realize economies of scale in the delivery of high-quality school improvement supports. In Hawaii, where we support 55 schools across four islands, we work with clusters of schools to ensure fidelity to best practice while providing highly customized services.

Identifying School Needs

States, districts, and schools have embraced the concept of data-driven decision-making as an important component of school improvement. Data are the roadmap of a successful improvement journey; they tell us where we are, where we want to be, and what we must do to get there. Thus, many States and districts are requiring a comprehensive school needs assessment to inform improvement planning and implementation. We have seen RFPs that explicitly require a school diagnostic review. This is another area in which some States and districts have taken a Do-It-Yourself approach, with State or district teams conducting needs assessments themselves. In our experience, the objective eye of a third party is critical to the conduct of an accurate review. The collaborative nature of EdisonLearning’s own in-depth evaluation makes it an objective assessment that engages teachers and administrators and allows for meaningful customization of services.

Supporting English Language Learners

Across the nation, we are seeing greater focus on supporting English Language Learners. Subgroup reporting requirements have strengthened transparency and accountability for educating students whose first language is not English. Consequently, we have seen an increase in the number of RFPs that explicitly require professional development and support to help teachers and administrators meet the needs of English Language Learners. Comprehensive strategies that extend beyond the classroom to engage and empower not only students, but also their families, have been the most successful. Similarly, strategies that foster integration rather than working in isolation yield better results. This is why EdisonLearning’s philosophy is one of inclusion—we train all teachers together to support all students through differentiated instruction and intervention instead of creating instructional silos.

²Transforming Public Education in New Orleans: The Recovery School District. The Scott S. Cowen Institute for Public Education Initiatives at Tulane University <http://www.coweninstitute.com/wp-content/uploads/2011/12/History-of-the-RSD-Report-2011.pdf>

Rethinking High School

The importance of an effective high school design cannot be ignored. For this reason, EdisonLearning is one of the few school improvement partners that truly differentiate school improvement services for elementary and secondary schools. In addition to innovative blended learning programs and creative uses of technology, we have noted the following trends:

- RFPs explicitly seeking expertise in improving high schools (as opposed to lower grade levels)
- Greater emphasis on competency-based and experiential learning
- A focus on the Common Core
- Increasing willingness to offer flexibility and wrap-around supports to students whose life circumstances place them at risk of disengagement
- Attempts to minimize the need for remediation in post-secondary education

The recent shift in graduation reporting requirements highlighted the need for high school reform. What is needed now is a set of policies that promote innovative, data-driven approaches to secondary education in conjunction with accountability systems that reflect a new post-secondary reality. One way in which States and districts are working to improve outcomes is through the expanded use of technology; however, as educators work to engage students in an increasingly digital society—especially at the high school level—many are still finding policies written for an analog world. For example, blended learning programs typically emphasize competency-based learning, while longstanding policies focus on the amount of time spent in the classroom.³

Improving Education through Technology

EdisonLearning is already working with many districts to incorporate innovative educational solutions within its school improvement strategies, including individual online courses and blended learning environments. For example, at our partner school in Gary, Indiana, students not only have access to traditional coursework in the brick-and-mortar classroom, but they can also enroll in a rich variety of online courses including core subjects and electives with a STEM emphasis. Consistent with the school's focus on college and career readiness, our courses require students to use technology in the classroom the same way it is used in the real world: to enhance productivity, efficiency, creative expression, communication, and access to information.

In our experience, the most compelling example of the effective use of blended learning is for the engagement of students who have dropped out of school or are at risk of doing so. Through a strategic partnership with Magic Johnson Enterprises, we have been able to serve students who want to graduate but find the obstacles overwhelming. In order to adequately support these students, our Magic Johnson Bridgescape(r) Academies combine 1) a blended instructional model, 2) an individualized instruction path for each student, and 3) the counseling and coaching necessary to earn a high school diploma and achieve success beyond graduation. EdisonLearning currently partners with districts in 6 States to operate 17 Magic Johnson Bridgescape(r) Academies.

In order for these types of innovative solutions to be successfully incorporated into a strategy or framework for school improvement, there must be mechanisms in place to allow for flexibility and innovation. Examples of such mechanisms include seat-time waivers, competency-based credit, and a general recognition of online and blended learning. Ohio was the proving ground for the Magic Johnson Bridgescape(r) dropout prevention and recovery model because it pioneered special accountability provisions for high schools designed to re-engage dropouts. The results were overwhelmingly positive:

- 64% of eligible students received their high school diploma and continued on the path to post-secondary education and the world of work.
- Eight out of ten of our Ohio Magic Johnson Bridgescape(r) Academies made AYP.
- 74% of students in the program at the end of the 2011-12 school year returned for the 2012-13 school year and continued working toward a high school diploma.

Conclusion

There is a role for the federal government to play in incentivizing data-driven reform, and we commend efforts to promote innovation that leads to better outcomes. At the same time, our experience tells us that 1) these incentives could be made more effective in several ways, and 2) ultimately, reform cannot happen if States,

³Bailey, J., Ellis, S., Schneider, C., Vander Ark, T. Blended Learning Implementation Guide. Digital Learning Now.

districts, schools, and communities do not buy into it and are not held accountable for it. Specific lessons that we've learned from our partnerships are:

- Incentives for improving low-performing schools are a necessity—regardless of where they come from, and so is funding to support them; however, these incentives are most effective when States and districts use the money to identify and implement proven strategies to improve the quality of education and increase student achievement.

- Prescription must include specific consequences for low performance, including partnering with experts to improve teaching and learning. Such provisions must be mandatory rather than permissive or precatory.

- The external partner requirement must be triggered early. The longer a school struggles, the greater the chances of a self-fulfilling culture of defeat will settle in, making change even more difficult. Early intervention is key in improving schools.

- When States develop lists of approved partners from which districts and schools may choose, they have better oversight of improvement efforts.

- Federal incentives help, but States and districts must collaborate with each other to lead reform efforts.

- State-run districts must have a clear mandate, ambitious timelines, and dedicated funding. They must be eligible for federal funding.

Reauthorization of the Elementary and Secondary Education Act presents a tremendous opportunity to further innovation that leads to measurable, sustainable improvement for all students. We all agree that schools must be held accountable for teaching all students and cannot walk away from failure. The next generation ESEA must balance the need for greater State and local flexibility with the need to encourage increased accountability and transparency.

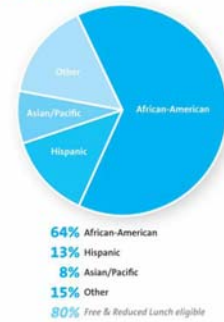
Driving Achievement through Partnership



EdisonLearning has nearly twenty years of expertise in education reform, partnering with school districts, governments, and charter authorizers and boards to improve instruction and accelerate student achievement. Our success in developing effective leaders, teachers, and learners spans all grade levels and geographic settings, including urban schools in Chicago, Charleston, Detroit, Gary, Philadelphia, Las Vegas, Richmond, and Northampton (UK), rural schools in Colorado and South Carolina, and schools in Abu Dhabi. We are a state-approved turnaround partner in California, Colorado, Delaware, Hawaii, Illinois, Indiana, Kentucky, Michigan, Missouri, South Carolina, Virginia, and Wisconsin. The current demographic profile of our U.S. partners is shown below. Our portfolio of K-12 solutions includes:

- **Alliance™** – School turnaround and transformation services, including comprehensive diagnostic services and on-site professional development
- **Magic Johnson Bridgescape® Academies** – Dropout prevention and recovery solutions that offer at-risk students the flexibility of a blended learning environment and empower them to earn a state-recognized high school diploma
- **eCourses™** – A complete online curriculum for high school and middle school that supports multiple modes of learning and has an embedded, standards-aligned assessment system
- **Provost Academy™** – Full-time virtual high schools
- **Learning Force™** and **Summer Journey™** – Extended learning solutions that include in-school tutoring in reading and mathematics and an engaging summer school curriculum

Demographics of students:



The framework for our school improvement solutions is our Five Strand Design, which reflects our experience and independent research regarding the critical elements of a highly effective educational program. The Five Strands are:

- Leadership
- Learning Environment
- Assessment for Learning
- Pedagogy and Curriculum
- Student and Family Support.

We believe that a holistic approach to education—one that addresses the whole school, the whole student, and the whole educator—is the only means of achieving lasting success.



Our work with school turnaround and professional development began in 1991 with the Edison Project, a four-year research and development initiative that explored effective practices in leadership, instruction, school design, and turnaround both across the U.S. and internationally. Since then, our experts have helped teachers and administrators apply best practices in improving instruction and increasing achievement. Since its founding, EdisonLearning has educated more than one million students and currently partners with schools and organizations in 25 states, the United Kingdom, and the Middle East.

240 Total Partnerships — All Learning Offerings

School Improvement Solutions: 204

- 91 School Improvement District Partnerships
- 15 Independent Charter Schools
- 55 Extended Education (Learning Force, Summer Journey & SES)
- 43 eValue Assessments

Virtual & Alternative Solutions: 36

- 17 Magic Johnson Bridgescape Academies
- 3 Provost Academies
- 16 eCourses, eSchoolware

25 States and 2 Countries (UK & Abu Dhabi)

- | | | |
|--------------|--------------|------------------|
| • California | • Kentucky | • New Mexico |
| • Colorado | • Maryland | • Nevada |
| • Delaware | • Michigan | • North Carolina |
| • Georgia | • Minnesota | • Ohio |
| • Hawaii | • Missouri | • Pennsylvania |
| • Illinois | • New Jersey | • South Carolina |
| • Indiana | • New York | • Tennessee |
| • Iowa | • Nebraska | • Virginia |
| • Kansas | | |

Results of EdisonLearning Partnerships

To paint a clearer picture of our experience in school improvement, we have included below a description of the customized services that we have provided to a few specific partners.

Hawaii

Since 2005, our on-the-ground Advisor Team has been working side-by-side with Hawaii teachers and administrators to:

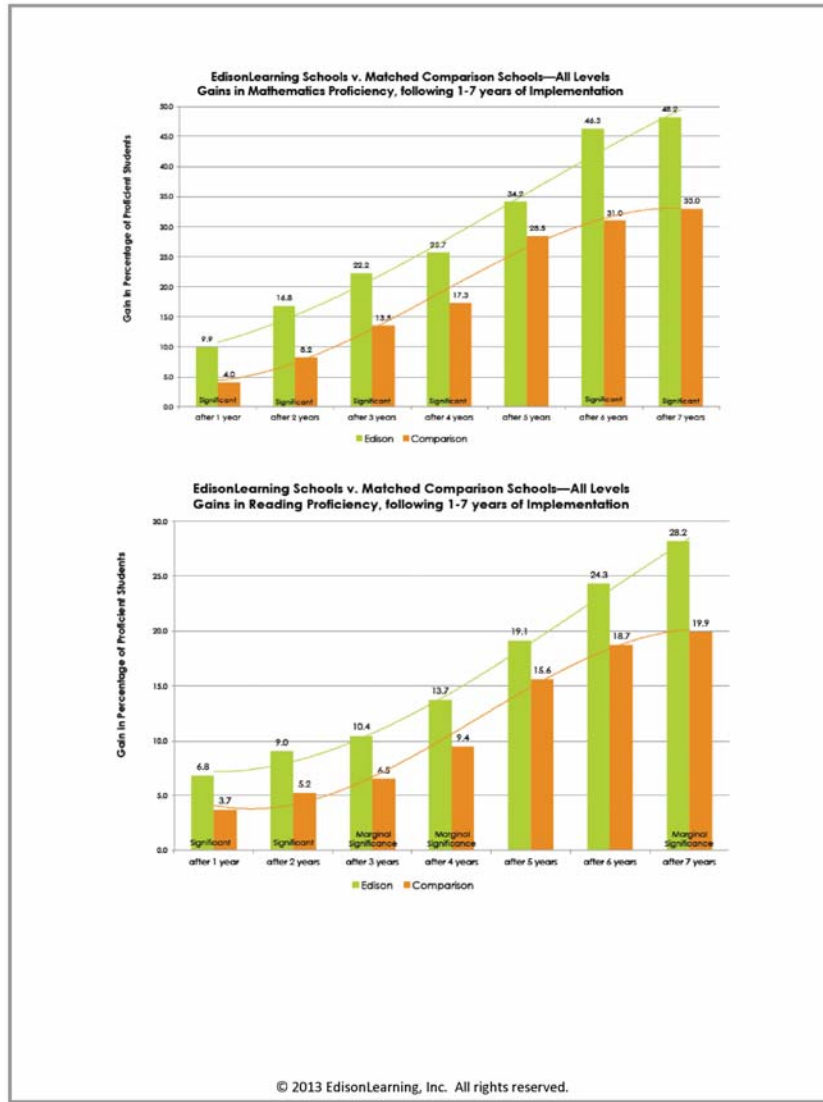
- Develop strong school leadership
- Deliver standards-based instruction with a focus on the Hawaii State Standards
- Ensure data-driven instruction and instructional coaching
- Support formative assessment and effective data management
- Continuously monitor school progress with a focus on accelerating student achievement
- Engage families and the community
- Build site capacity

Embedded in each Partner School, our team has forged meaningful relationships with Hawaii's teachers and administrators while developing a deep understanding of the specific strengths, needs, and circumstances of each school. We have equipped educators with research-based, data-driven practices, enabling them to foster sustained achievement gains among all students. In addition to our site-based capacity building, we have hosted regional and national conferences on instructional leadership to facilitate collaboration and interdisciplinary approaches. The results of our collaboration, which were independently verified by Professor Jim Marshall of Stanford University, are highlighted below.

- Altogether, our Hawaii Partner Schools show average seven-year achievement gains of **28.2** percentage points in reading and **48.2** percentage points in mathematics.
- Teachers, principals, and students of our Partner Schools have received state and national recognition. Several leaders of our Partner Schools have moved on to complex area roles.
- Last year, four of our Partner Schools, Hilo Intermediate, Kau High & Pahala Elementary, Keonepoko Elementary, and Naalehu Elementary, were featured in a presentation by Deputy State Superintendent Ronn Nozoe at the U.S. Department of Education Symposium, School Turnaround: Building and Sustaining Success, held in Washington, D.C.¹

¹ HIDOE Press Release: *Hawaii DOE to share School Improvement Grant achievements at national conference*, Aug. 20, 2012

<http://lilinoe.k12.hi.us/STATE/COMM/DOEPRESS.NSF/a1d7af052e94dd120a2561f7000a037c/d32ade5aee7530060a257a600077521e?OpenDocument>

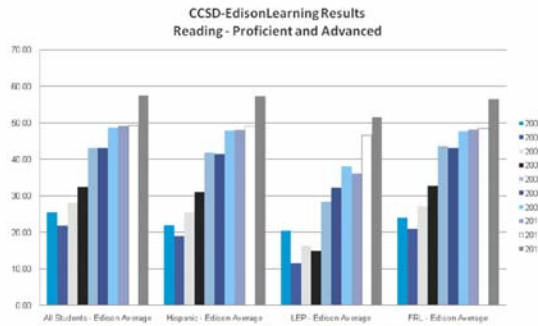


Nevada

In addition to our successful work in Hawaii, we have facilitated notable school turnaround in Nevada's Clark County School District (CCSD), the fifth-largest district in the nation. In 2001, we entered into a partnership with six of CCSD's lowest-performing schools to improve instructional practice, create a school culture of accountability and high expectations, and foster higher achievement. We worked with teachers and leaders to identify challenges that were hindering progress at each school. Among these challenges were low levels of teacher satisfaction, a significant language barrier, lack of continuity across the curriculum and in classroom practice, and minimal parent involvement—particularly among non-English-speaking families. To address these issues, we implemented research-based strategies including:

- Extension and restructuring of the school day to ensure optimal use of teacher and student time
- Embedding of targeted and customized professional development into the school day
- Implementation of our proprietary formative assessment system, with professional development and support for data-driven decision-making
- Creation of student learning contracts and scheduling of quarterly parent meetings to increase engagement
- Implementation of English Language Learner (ELL) engagement and support mechanisms
- Emphasis on character education

As a result, our CCSD Partner Schools have realized proficiency gains of 32 percentage points in reading and 39 percentage points in mathematics since the 2004-05 school year. The ELL subgroup has realized proficiency gains of 31 percentage points in reading and 42 percentage points in mathematics.





Chairman KLINE. Thank you.

Thank you all. I think there is a pretty strong agreement amongst you sitting there and we sitting here that there were some really important positive things that came out of No Child Left Behind.

Obviously the focus of making sure that every child gets the education they need in the very name of the bill and the importance of getting the data that is disaggregated. I think all of you have used that term or if you think of it every day, so that we can make sure that we are not leaving groups behind.

And yet all of you have got some complaints about No Child Left Behind and a desire to see a change and to see the legislation rewritten. We have been working on this for some years because we couldn't agree with you more that it needs to be rewritten.

Two congresses ago when Mr. Miller was the Chairman we were working, trying to sort through this and figure out the proper role of the federal government and the proper roles of states and local governments and superintendents and principals and teachers and that gets often at the crux of the problem.

So the critics of more state and local flexibility argue that states and school districts and arguably superintendents can't be trusted to hold their schools accountable and that this approach will cause harm to the most vulnerable students including the low income students, and Mr. Gordon, you talked about the 100 percent free lunch and breakfast.

But Mr. White, you had pretty compelling testimony that you have the ability in Louisiana, in New Orleans to make sure you are not leaving those students behind.

Could you respond to that criticism that says that the government, the U.S. Department of Education has to step in and can't give the flexibility that many of you are talking about?

Mr. WHITE. Certainly.

I would say, Mr. Chairman, that certainly there is a role for the federal government to insist on accountability for results, and I think every state needs to and wants to work with the federal government on that question and I think the federal government should insist on results.

At the same time, it is fair to say that, certainly in our state, I believe we are years ahead because of the work that we have done ourselves on measures both to protect the rights of historically disadvantaged populations and to ensure that our education system is actually fulfilling its responsibility to prepare kids for adulthood.

As a result, I think a problem would be if we continue to insist on the idea that a pro forma set of metrics developed in Washington are suitable for every circumstance in the state because it totally negates the power of the states to be policy leverage-holders, and I hope that in the next incarnation of ESEA the reauthorization will very much take into account many of those ideas that we have seen because they have evolved from the states, and secondly will allow states the continued flexibility to articulate those kinds of innovations.

Chairman KLINE. Thank you.

Dr. Richardson, you and I have sat at roundtable discussions many, many times where we had representatives of the teachers' union, Education Minnesota, we had principals, we had superintendents, and in your testimony you talked about the importance of giving school districts and schools the opportunity to develop and implement plans that are embraced by the larger community. Can you talk about the importance of that buy-in into whatever you are doing or we are doing?

Mr. RICHARDSON. Yes, Mr. Chair. What I have seen over the years is that if you do not bring all of the key stakeholders together in working through processes, you tend to be the person out in

front trying to run with the idea and people behind you are letting you go.

What I found over the years and this is my 33rd year as a school superintendent, is that the best way to see change happen is to bring the folks along. And so as we work with professional learning communities in our district, as we have worked with RTI in our district, as we work for the TORCH program in our district, the efforts came through the administrators and teachers and community members sitting down together and working through that process.

When you do that, people have buy-in, people will work with you, and they aren't sabotaging you during the process. And I think we have been able to demonstrate pretty clearly that by doing that and by, I think, kind of unleashing the creativity that our teachers and building administrators have we have been able to do things that would never have been able to be done if we had just been a prescribed format and that is the only format that we can go forward with.

Chairman KLINE. Thank you very much.

My time has expired.

Mr. Miller?

Mr. MILLER. Let me just say I want to thank this panel so very much because I think you have, you know, across different districts, different kinds of states and student loads, you have shown us that there is in fact a path forward here.

It is interesting that each of you from your different perspectives has fully embraced the idea that there has to be this federal measure of accountability and that at the end of the day No Child Left Behind and ESEA are basic fundamental civil rights acts, and it is because our country holds up so high in value an education, the importance of an education that all children are to have the opportunity to achieve.

And, you know, Mr. White, I spent a lot of time over the years—I have been here a long time visiting in New Orleans schools and when I walked away—I was almost crying most of the time I visited that state and visited the schools, mainly in New Orleans, and after the hurricane the energy that came with the Recovery District, came with the entrepreneurs that flocked to New Orleans to demonstrate what was possible in the classroom with that exact population; it was so desperately in need and had been denied so long and New Orleans was just exciting, and I think that is important.

And Mr. Richardson, you know, you point out when, you know, when you had this arrival of the Hispanic population that were struggling within your school district, there is a way to manage that, there is a way to address that, and performance was improved.

And so what we see is that, you know, there is no parent in this country that doesn't want their child counted whether that child has some—suffers from disabilities or is an exceptional child or is a middle-of-the-road child or is a minority or English learner and stuff like that, they want that kid counted and absolutely, you know, No Child Left Behind did that.

I remember the first time those results were published in my local newspaper. I have met a lot of mothers and grandmothers and fathers and grandfathers up close and personal, and they didn't want to meet with me, they wanted me to bring the superintendent of schools to meet with them.

But you have also said that in the same span of time that districts and states and others have figured out how to move forward given their situation. Cleveland, obviously, is struggling.

But you now believe that the Cleveland Plan, Mr. Gordon, that you in fact have figured a way forward, and you are getting community support for that. You are still going to be measured on the progress of the students and you are willing to measure yourself not only pursuing Common Core assessments but also alongside of NAEP so we can really see if in fact we are getting the education that allows them to participate in our—fully in our society and in our economy.

And, Mr. Given, obviously your enterprise is based upon people being able to look at the test scores and decide they may want to head off in a different direction.

They want to build additional capacity or they want to manage the portfolio that each one of you is in fact managing now. Nobody talked about portfolio 11 years ago. We talked about it when we introduced our discussion draft here, and the arrows came flying in on both sides of the aisle. Nobody mentioned portfolios.

Now it is a common discussion. It is a common discussion and portfolios lead to a different teacher core and different professional development. So the real question is can we do what we should be doing, which is making sure that every child has the opportunity to be exposed to a high-quality education and we get to measure the outcomes?

You get to use the data, how you want to change the circumstances, improve them, or continue your growth wherever you are in this timeframe.

I just—I would like to hear your comment on this because I think this is about as clear an example of where the federal role should be and where it has been and maybe where it should come back to a number of steps in terms of this kind of innovation that is taking place in this type of response to your local economies, your local constituents, and the parents of these children.

Mr. White, Mr. Richardson, Mr. Gordon? You have got to hurry. That light is orange.

Mr. WHITE. Representative, with the question being us taking the information we have and how to make the best use of it in our states, we are—we start with the ideas, as I said in my testimony, of a great school seat for every child.

And we know that there are still kids in our states—too many kids in our state for whom we have not fulfilled that promise. Starting with the student outcomes, we then move to a portfolio idea where we say how can we ensure that irrespective of the exact type of governance structure, irrespective of the instructional plan that we determined, that actually the parent and the child are getting exactly what they need and that we use data both to ensure that we are providing that seat for that child and to ensure there

is complete accountability for what in the end the child receives. I think that is a model that every state is and should adopt.

Mr. MILLER. Go for it, Mr. Richardson. He won't cut you off here—

[Laughter.]

Mr. RICHARDSON. Okay, thank you. I think that again the thing that we have seen is that when folks are working together in the process, we get things to happen that don't happen when they are being driven by another location.

So the trick is to try to get the parameters right at your level and to the flexibility right at our level to get the work done.

Mr. MILLER. Thank you. Mr. Gordon, I will get back to you—

Chairman KLINE. He is a master. Absolutely a master at this.

Thank you very much and thank you for your understanding.

Ms. Foxx?

Ms. FOXX. Thank you, Mr. Chairman.

Mr. White, your testimony discusses the challenges presented by the current fragmented federal funding structure. Could you talk about how you have condensed 23 federal programs into one, and maybe say a couple of things about how the fragmentation has negatively impacted your schools? I think we probably know a good bit about how that happens but bring that in if you need to.

Mr. WHITE. Representative, one of the things I take from Dr. Richardson's testimony is that at a school having a unified plan and having every teacher, every parent, every community member invested in that one plan is the great challenge; that for a school coherent planning around the needs of the child is the big challenge.

Everyone is on the same page, and I think one of the unfortunate consequences of the federal law as it is currently articulated is that it drives activity in a million different directions. And when I look at the spending and the requirements for each grant, when I look at the corrective action requirements that come out of failure on subgroups and on NCLB overall, I see a lot of central office jobs in states and school systems, I see a lot of confused teachers, and I see a lot of rules and regulations.

I don't see coherence and that means that even in the most dire circumstances such as we face in New Orleans and many of our districts where the challenge really is coherent planning around the needs of the child, we have the most aggressive corrective action.

We have the most amount of federal involvement and being driven in a million different directions. We can stop that to some degree today by states stepping up and taking responsibility by creating one application for federal funds so that districts can operate one plan, by having one monitoring cycle in the use of those dollars, and by having and taking advantage of new requirements or new flexibilities that have been extended to states that we are very grateful for, but we ask you to please take that a step further.

Please make that framework of coherence and simplicity over confusion in a million different directions a core principle of the ESEA reauthorization.

Ms. FOXX. Thank you very much.

I have often said the schools are designed for the administrators, not for the students. I have seen it over and over again.

Mr. GIVEN, in your testimony you talked about your work to develop blended and virtual education options as school improvement strategies. Could you talk about how these new approaches improve school and student performance and what are some of the policy barriers either at the federal, state, or local level that prevent access to blended and virtual learning options?

Mr. GIVEN. Sure. Thank you, Congresswoman.

The technology today has advanced obviously dramatically from the days of textbooks and chalkboards. We are in a new position where we can deliver instruction to the student, at the student's level, at that student's ability, and in that student's own time where they can learn at their own pace and be supported by qualified, helpful, and proficient teachers and be instructed by them but do that in a more individualized manner.

So we spent a great deal of time developing curricula, the technology that underpins that curricula to make sure that students can be delivered education where they are and where they need it.

And so that is the promise. We have seen some very good success recently especially engaging extra low performing students, in fact, students that have dropped out of school. And we are recruiting back to schools in different programs; some in Cleveland through our Magic Johnson Bridgescape program but there are policy barriers and most of them are at the state level and a lot of them have to do with things like seat time, attendance accounting, and credit recording and how those students are going to receive credit we think they should receive credit for mastery of the material.

If they have met the standards, understand them, and can show proficiency in there, they should get that credit and be able to move themselves through the high school process. So some states allow for that. Some states do not.

I am not sure that there is a prescriptive federal role there because I think that is something that the states can really dial-in in their own communities, but it is a very interesting and very promising path forward for students, especially underperforming students.

Ms. FOXX. Thank you very much. The federal government is trying to impose itself at the post-secondary level in this area. Let's hope it doesn't look for a way to do it at the elementary and secondary level.

Thank you, Mr. Chairman.

Chairman KLINE. Thank the gentlelady.

Mr. Andrews, you are recognized for 5 minutes.

Mr. ANDREWS. Thank you, Mr. Chairman.

I thank the witnesses.

I don't think you can overstate the importance of math skills in the global economic competition in which we find ourselves. In this regard, No Child Left Behind is kind of a two-chapter story. If you look at the eighth grade results on the NAEPs test for math, in the earliest years of No Child Left Behind we went from 27 percent of our eighth graders being proficient to 36 by 2005; pretty impressive gain.

Since 2005, however, we kind of stalled out. We have gone from 36 only up to 43 so we are gaining on the NAEPs test 1 percent per year. To put that into some perspective, in Shanghai, in the most recent year, 75 percent of the students tested as proficient in math.

So at this rate, we will catch up to Shanghai 30 years from now. The global economy is not going to wait 30 years for us to do that. Based upon the experiences the four of you have had, what is the single most effective math improvement strategy you have seen and if you could briefly describe it to us.

Mr. White?

Mr. WHITE. Representative, it is far and away the caliber and the background of the educators involved in the question. And I would suggest that in your consideration of our workforce measures, that the Congress consider going even beyond looking at teacher evaluation measures to look at actually, who are we attracting into the profession and what are the standards that the institutions who credential those people use to admit candidates in the first place?

Mr. ANDREWS. Are we paying math teachers enough?

Mr. WHITE. I don't think we are paying teachers enough period, but I would also say that when you are talking about particular competitive fields like mathematics where people can step into the private sector and make double what they can make as a teacher right out of undergrad, not to mention all of the requirements that go into that have to be demonstrated in order to really master math and teach it at a secondary level, we really need to be ensuring that we have a better system of workforce development than we do and it goes beyond teacher evaluation.

Mr. ANDREWS. Thank you.

Dr. Richardson, what would you say?

Mr. RICHARDSON. I would say again, strongest piece is having the high quality professional staff to do the job, but I think it is also really looking at the concept of how soon we intervene now when we find students are not mastering specific concepts.

Mr. ANDREWS. Have you found online tools to be useful in targeting that intervention?

Mr. RICHARDSON. We have been able to use some online tools in terms of materials that allow us to, once an intervention is identified or once an area where a student is behind is identified, we are able to target them and give them specific instruction in that area.

Again, I think it takes the master teacher to do that and also takes teachers on a regular basis like every week looking at how students are doing.

Mr. ANDREWS. Thank you.

Mr. Gordon, what is your view?

Mr. GORDON. Congressman, I would agree. I would agree that both of those elements are important. I would say that there is a third element. I just returned from a trip to China and actually partnered Cleveland with Shanghai and had the opportunity to engage with Chinese educators. And I would say that we also have to pay attention to what mathematics we are teaching our children in America.

We know that fourth-graders do well, 8th graders do less well, 12th-graders do pretty poorly, and we know from Ohio for example

that Ohio's math achievement scores have raised year after year even as NAEP scores have remained flat.

That is a question of what is being taught because kids are learning; the question is, are they learning the right content as well? So we need the right instructors. We need to make sure that we have the right responses and that comes from that instructor. I actually think blended learning is a part of it, not technology alone, but it still matters what we are teaching.

Mr. ANDREWS. Do you have vacancies for math teachers in the Cleveland schools?

Mr. GORDON. Despite the declining enrollment, mathematics is an area where we have vacancies.

Mr. GIVEN, what is your view on this?

Mr. GIVEN. Well, not to sound like a broken record, Congressman, but some of the things that my colleagues have said are absolutely the case.

What I think is interesting over the last No Child Left Behind era is the focus early-on on reading first, and that literacy focus kind of left out numeracy as a really critical area started very early in elementary and moving it forward into high school teaching. As Mr. Gordon said the right things and the right intensity of things; how rigorous are we being in our standards? I think that is an important element here too, but all of the challenges that have been mentioned are certainly challenges across the board. Finding the most qualified teachers to deliver that service is a challenge.

Mr. ANDREWS. Thank you, Mr. Chairman. It is interesting to hear this consensus across experiences and kinds of districts and hopefully we can work together and write a law that facilitates the improvements that these witnesses have described to us.

Thank you.

Chairman KLINE. I thank the gentleman.

Mr. Walberg?

Mr. WALBERG. Thank you, Mr. Chairman.

And thanks to the panel for being here.

Mr. GIVEN, it is clear that your organization has a great deal of experience in turning around troubled, challenged schools for the benefit of the kids—of the students. How important are the state and local efforts in reforming schools in proportion to federal assistance?

Mr. GIVEN. Thank you, Congressman.

We have seen the action in school reform happen at the states. Obviously No Child Left Behind lays out some parameters as schools are found persistently underperforming. There are a lot of challenges in the way those parameters are set out and I think the superintendent on this panel would find that those challenges are very real.

There is a talent challenge when schools have to be reconstituted; who is going to fill the reconstituted, the missing seats, when we are already at a talent deficit in some things like mathematics as we discussed.

So I think as the states look at strategies and I am sure Mr. White could echo this very well, they have got to be really flexible to the state's environment and that state's strategies of what is

going to go on or else they can't work because there aren't the tools in place to make them work.

And so I think having the federal government push those resources to the states and having the states if there is encouragement and incentive to use replicable, proven strategies to improve those schools, we are going to see some wins and we are starting to see those wins not only in Louisiana but in other states like Virginia and Indiana that I mentioned, and Hawaii is another great example.

Mr. WALBERG. That being the case, do we in Congress need then to strongly highlight the need for this type of reform to be driven at the state and local levels?

Mr. GIVEN. I think highlighting is a good idea. I think highlighting it earlier in the process, as I said in my testimony, we have the tools today to evaluate and understand that there are challenges in schools much earlier than we did previously.

We have more efficacy data on what is happening in a school. We have more data on student performance and on teacher performance, so if we can encourage earlier intervention, it is going to be easier to solve the problem than scrapping an entire school and try to build one from scratch which is some of what we are doing now.

Mr. WALBERG. It is sad that seems like common sense, doesn't it, but we have missed it.

Mr. GIVEN. It does. You are right.

Mr. WALBERG. Mr. White, you have given us a great example in your testimony of how parents and educators working together have created prosperous conditions for students in New Orleans, to say the least, especially in comparison to what was going on.

One of the goals that we have in reauthorizing ESEA is to reduce bureaucratic involvement and turn decision-making back to educators, parents, and students as well. How did current federal laws create confusion and add to difficulties in creating successful schools and students in your opinion?

Mr. WHITE. Well, Mr. Congressman, I think that they start with the idea of prescriptions from Washington that essentially send to different people in a million different planning processes, a million different spending requirements, and distracts from some of the simple principles that I and others on this panel have articulated today, which are teachers and parents looking at real outcomes and planning for real next steps.

I think that the idea that states should identify the lowest performing schools is one of the strongest legacies of No Child Left Behind, but how we provide parents with better alternatives and how we turn those schools around ultimately must be decisions that are owned by people closer to the problems or else we will continue to create central office jobs and not a lot of better outcomes for kids.

Mr. WALBERG. And you see the ownership by those most closely connected to students themselves as primary and significant to success?

Mr. WHITE. Absolutely. The parent must have choice especially those who have been historically disadvantaged and who are trapped in struggling schools must be given better options. And we have talked about, today about creating a portfolio of better options

and schools and districts must be given power to—and requirements—as to how they turn those schools around.

Mr. WALBERG. Thank you.

Dr. Richardson, I applaud you for working with our chairman. It is good work you do. What would you consider to be a more appropriate federal role in areas such as testing, data collection, reporting, and how would you shift that responsibility to states and local school districts?

Mr. RICHARDSON. Congressman, my sense is that states are really in local schools looking for the federal government to provide a broad set of parameters; basically again identifying the concept of accountability making sure that we are providing assessment that looks at growth, that looks at proficiency, that looks at achievement gap, and also provides broad parameters around district and school planning and in terms of communication with constituents and parents.

What I think we don't need is extremely prescriptive pieces of: "you will do with this—you will do a single test; you will deal with underperforming schools in a particular prescribed set of steps," because I think what we find is every school district and every school needs different levels of support. And again, I think what we found is that when we have been given that ability to do that, I think we do much better at the local level and at the state level than we do at the federal level.

Mr. WALBERG. Thank you.

And thank you, Mr. Chairman.

Mr. RICHARDSON. Thank you.

Chairman KLINE. The gentleman's time has expired. You can see that there are a lot of people following the fine example set by Mr. Miller in asking a question with 5 seconds left on the clock.

Mrs. McCarthy, you are recognized.

Mrs. MCCARTHY. Thank you, Mr. Chairman, and I will try to do better here.

One of the things that I wanted to bring up, this is National Nurses Week and I have always been focusing on school nurses mainly because I come from a nursing background myself.

So it is a little bit different but with all the schools that you are talking about are underserved areas and obviously nutrition, physical education is probably something that also would help with learning abilities.

So with that, I will be reintroducing the Student to School Nurse Ratio Improvement Act because what we found that the schools that have a very low and Mr. Gordon, you know, I am not picking on you, we saw that like in Cleveland 15 percent of your students are considered very fragile.

I would tend to think the numbers might be higher or lower in some of the other schools because you are 100 percent free or reduced lunches, 100 percent breakfasts, that is usually a sign of poverty.

So what we have seen is that schools having a nursing shortage, it does take time away from the principals, from the teachers, because if they don't have a school nurse then they are taking over those duties.

So in your—you know—I was just wondering we saw also that schools that don't have school nurses there is a lot more absentees. There are a lot more sick days obviously and we see that this also brings down the marks of children. And yet in those schools and I am very lucky on Long Island, most of our schools do have school nurses and we also saw those marks go up when the nurse was very involved with the superintendent, with the principals to make sure nutrition and physical education were part of it to make them healthy and especially the lower grades, the kids had more energy to concentrate on the subjects itself.

So I was just wondering, Mr. Gordon, in your testimony, you listed school improvement strategies that are being implemented in your district. Have you explored the issue of school nursing shortages and if so, how and if not, why not? And I guess I can put that to everybody.

Mr. GORDON. Thank you Congresswoman. We actually put a lot of attention in Cleveland to the social and emotional learning needs for our children that our nursing corps along with our psychologists, social workers, and guidance counselors are largely responsible for. I don't have a shortage of nurses available, I have a shortage of resources to invest in my nurses.

Therefore, over the last several years we have laid off over 1,000 people; many of them school nurses, social workers, and guidance counselors.

Even as we know that the meta-analysis around social and emotional learning has a correlation of having these skills and wellness is attributed with 11 percent gain in reading.

It is something that I need desperately. So I would say for us the challenge is that the physical challenge, it is the resources to think of a wraparound strategy for the needs that my children and community have.

Mrs. MCCARTHY. So let me ask you well—being that it was a competitive grant, which it would have to be, to be able to use those funds to bring school nurses back into your buildings or at least rotate into a better situation on having nurses rotate especially in the city areas where they can go to school to school, Mr. Richardson, Dr. Richardson?

Mr. RICHARDSON. Congresswoman, I think one of the key issues that we are going to face again is looking at sizes of districts. As a district of about 4,000 students, our ability to look at a competitive grant and be successful in writing a competitive grant for additional nursing services rapidly is going to be extremely limited.

We are very fortunate right now. We do have registered nurses in every building. Where we really see and really struggle is in buildings that have district-centered special education programs especially for low-incident students, for autism spectrum students, for students that are medically fragile and the issue being that it really does take up a huge amount of that nurse's time to support those students, which then leaves very limited time for that nurse to be able to address the needs of regular education students within the building.

So we would look more for support in terms of helping to augment nursing services in those buildings that have district-centered services and the special ed.

Mrs. MCCARTHY. Mr. White?

Mr. WHITE. I would echo of lot of what Dr. Richardson just said, which is that the states and school systems must provide basic services and basic infrastructure especially for the most severely impacted students and at the same time—and must have requirements regarding school nurses—at the same time, the solutions that schools develop regarding the nutrition issues are just like the ones they develop regarding academic issues. We should empower our schools to develop solutions for their populations more than we should restrict them to state-led systems.

Mrs. MCCARTHY. Thank you very much.

I yield back.

Chairman KLINE. Thank the gentlelady.

Mrs. Brooks?

Mrs. BROOKS. Thank you, Mr. Chairman.

There is such an emphasis in our K-12 system for everyone to go on to a 4-year college and I have come from our state's community college system and I am curious.

In the middle schools, kids are asked to choose the college track or the career and vocational track, and so many, I think, kids really don't know what those different possibilities for careers are and we have so many jobs right now that aren't being filled because there are so many young people that really don't know about this possibility because they were on what they thought was the college track.

I am curious how your school systems are blending, if they are at all, the college, the so-called college track versus the career and vocational track because when kids choose to go to the career and vocational programs they often feel like they are going to a totally separate school and in fact, they are going to totally separate schools.

They are off-campus often for hours at a time during the day, meaning they can't even explore or take, often, those AP courses. And we have some students said that I think would like to test and take both rather than deciding in eighth grade or ninth grade what track they are on. So I am curious what your school systems are all doing to align those systems and give our young people a better opportunity to explore careers or their futures.

Mr. White?

Mr. WHITE. Well let me echo first of all the idea that diploma tracks should never take a child off of—allowing them to make a decision that changes their future. You never want at 14, 15 years old, to make a decision that impacts the rest of your life irrespective of your changing—wanting to change that decision a couple of years later. So we are creating seamless diploma paths that allow for constant movement of back and forth from one to the next.

Second, we have to integrate our technical college system, our private workforce development system at our high school is much better than we have so that kids are earning college credit that can be transferred on an academic or a technical path as they go forward. But third, let me say that regarding ESEA reauthorization if we don't allow states the ability to determine some of the accountability measures, we will not allow states to progress in real career and workforce attainment measures including—included in

our school accountability system. And if we don't do that then we will never resuscitate the career education systems because we will continue to systemically devalue career education attainment if we don't give the states the power to create those kinds of measures.

Mrs. BROOKS. Thank you. Dr. Richardson?

Mr. RICHARDSON. I would agree very much with Mr. White in terms of the sense that the more we can do in terms of making it very seamless all the way through graduation, the opportunities either to go into a vocational program or technical program or to go into college track, and I think we have done that in Minnesota by really focusing on trying to make sure that students have opportunities all the way through 12th grade to continue to take courses that will let them branch out or go to various places.

I think the other thing that we really focused on is we really focused on college in the schools and also PSCO or post-secondary programming, which for the most part in Minnesota tends to go to career and technical colleges where students are able to either take courses within our system that have credit—that gives them credit for their technical school or that they have options close by where they can take advanced technical courses.

Mrs. BROOKS. My—I am curious though whether or not students have the opportunity to—because often in the career programs are off-campus, off-site—do students have the opportunity to take AP classes if they choose career and tech classes?

Mr. RICHARDSON. In Minnesota, they do.

Mrs. BROOKS. Okay, terrific.

Mr. Gordon?

Mr. GORDON. Thank you. I would start with the premise that we know ACT college readiness is largely considered a 21. ACT career readiness is largely considered a 20. They are essentially the same in today's world and so we have to abandon the notion that the old-fashioned woodshop is career technical education and instead, need to think about construction industries as career technical education, school-to-apprenticeship programs, school programs that allow my students to access our community college for the career tech programs that are already being provided for adult retraining instead of provided for students in their primary training.

So our strategy is that regardless of the option you choose in a portfolio district, and our options include those that are more traditional career and technical options, manufacturing, construction, and more of the nontraditional moving into the STEM industries, a partnership with GE, that every one of those should allow you access to a high-wage career and to the opportunity for post-secondary advancement, which we have actually intentionally talked to our community about as college and career readiness; not one or the other, but both.

Mrs. BROOKS. Thank you.

Chairman KLINE. Thank the gentlelady.

Ms. Fudge, you are recognized for 5 minutes.

Ms. FUDGE. Thank you very much, Mr. Chairman.

And thank you all for your testimony today, and certainly, it is good to see Mr. Gordon. I am sure Cleveland is happy to have you.

I have some questions and I am hoping that since it is a short time you can give me some brief answers, I would appreciate it.

First, let me just ask, would any of you disagree with the fact that the cuts to Head Start and Early Head Start and Title I are going to be detrimental to your programs going forward as young people will not be as prepared coming into school?

No one disagrees with that? Thank you.

Let me ask you as well and I will start with Mr. White, in your testimony you argued that states should achieve their performance goals or receive fewer federal dollars.

So let me ask you, are you—and then you said further that it is especially true for historically disadvantaged students—should not our role be to educate all students?

Mr. WHITE. Our role should absolutely be to educate all students and we need to insist on quality. I believe the federal role should be to help states set high quality targets, and I believe that at some level that federal government needs to stop funding consistent failure against those targets.

Ms. FUDGE. So then you do believe that there is a federal role in education?

Mr. WHITE. I absolutely believe there is a federal role in education. I believe that federal role needs to more greatly empower states.

Ms. FUDGE. Okay. Thanks.

Mr. Richardson, Dr. Richardson, what is the median household income of your district?

Mr. RICHARDSON. I am sorry?

Ms. FUDGE. What is the median household income of your district?

Mr. RICHARDSON. About \$25,000.

Ms. FUDGE. And what is the demographic makeup of your district?

Mr. RICHARDSON. Demographic makeup: approximately 83 percent white, about 12 percent Latino, and then a very small number of African American, Asian, and other populations.

Ms. FUDGE. Thank you.

Now I will go to my CEO. Mr. Gordon, what federal parameters should we preserve in the new ESEA? We talked about all of the things that are wrong with it. What do you think is right with it?

Mr. GORDON. You know, Congresswoman, Congress spends \$55 million a year annually in Cleveland alone so you have a large investment in our city and large investments across the country.

I think that Congress needs to set clear, high standards and expectations. I do believe there needs to be flexibility. I don't think it can be simply divulged to states. States do it well and I have worked in New Orleans and watched from afar after having left to empower school leaders like me to do the work that you are asking us to do.

But there are other states and unfortunately often in my own where we instead comply our way to quality and without some form of expectation about what flexibility is going to be, meaning to me as the practitioner trying to do the work, you can end up with principals like mine spending an hour a week of logging-in their week's agendas into a computer so that they have been compliant to a state regulation.

So for me it is clear expectations against high standards and then clear definitions of how that flexibility moves not only through the state but to me as the leader on the ground doing the work and my teachers and principals in our schools.

Ms. FUDGE. I agree. I think that the states should not have any more authority than they currently have.

But let me as well ask you this question, Mr. Gordon. The Cleveland school district has spent a great deal of time on school safety and social and emotional well-being. As we cut funding, whether it be through sequester or something else and as our states continue to cut funding, is not one of the first things cut are the people who actually deal with social and emotional well-being?

Mr. GORDON. You know, unfortunately in Cleveland and we have been facing budget cuts as, you know, for year after year for the last 5 years. We like many districts, try to keep those cuts far away from the direct classroom instruction and that meant our nurses, our social workers, our guidance counselors, and where we had the resources, our school psychologists.

Those are the people who provide the social and emotional learning and wellness issues for our district. We have since gone beyond there and have had to cut instructional teachers as well and even 50 minutes out of the instructional day.

We have restored much of that because of what has been done locally but issues like sequestration continue to make that a challenge for us to even provide the basic services without even attending to the needs that many of my children bring to school.

Ms. FUDGE. And so as we talk about things like reasonable gun safety et cetera and they keep talking about the mentally ill people who need mental help, how do we provide that help if we have cut all of the resources to give those people—those young people the kind of assistance—I don't need you to answer. I know the answer.

Lastly, I just want to understand clearly that you do believe that that there are some good things in the ESEA. I don't call it No Child Left Behind because in my opinion, it has left many, too many children behind, but I do hope that as we go forward you can be more succinct with us in telling us what things you really do believe are important—

Mr. ROKITA [presiding]. The gentlewoman's time is expired.

We will now hear from Mr. Thompson for 5 minutes.

Ms. FUDGE. Thank you so much, Mr. Chairman.

Mr. ROKITA. Thank you.

Mr. THOMPSON. Thank you, Chairman.

Thank you, gentleman, for being here. Incredibly important topic.

I want to—my first question actually is really focused on teacher evaluation as a toll for accountability. It seems appropriate today, today is National Teacher Appreciation Day and in my professional career "B.C.," before Congress, what we refer to as our evaluations were called "appreciation reviews."

And so my question is how important is the teacher evaluation in recognizing and developing high-performing teachers to the accountability process and what should be considered in that process?

Let me just preempt by saying I am not a fan of cookie cutters that come from Washington. One size doesn't fit all, and so I am really looking to draw on your expertise and experience to see what

kind of things should go into that portfolio of evaluating, not just of identifying high-performing teachers but moving our teachers and to high-performance where they, you know, they may not be there quite yet.

Mr. White?

Mr. WHITE. Thank you, Representative.

First, I would say that the states are in very different situations on this. You have states that have hundreds of districts in collective bargaining agreements, states that have a small number of districts, and are right to work states. They have very different frameworks that each state is doing this in.

But I think universally, they should consider observed performance in the classroom. They should include evidence of students' progress while being taught by that teacher.

But at the same time, I think Congress should consider that teacher evaluation is not the only instrument we have in terms of ensuring the best teacher in every classroom.

We train our teachers from the time many of them—most of them are 18 through the time that some of them become district superintendents, and we should be looking at allowing states the purview to develop not just teacher evaluation systems but entire education development or educator development systems stretching back into reforming our teacher preparation systems. Our states need the imprimatur from Congress to bring higher ed to the table and to help develop and change our teacher preparation schools.

Mr. THOMPSON. Thank you.

Dr. Richardson?

Mr. RICHARDSON. Congressman, my sense is in Minnesota we have been really focused on three core pieces.

First is again, the observation of staff in terms of their work in the classroom and their work with parents and with other members within the community.

Second core piece has been looking at the student performance and really trying to work through and look at what should be the suite of data that we gather around performance of students.

I think the third piece has been taking a hard look at how are teachers interacting with the folks that they need to deal with on a regular basis.

So we are looking at some 360 components to the evaluation where we are really focusing on how do students see them, how do parents see them in terms of their ability to communicate, in terms of their ability to provide the instruction that is beneficial.

Mr. THOMPSON. Thank you.

Mr. Gordon?

Mr. GORDON. Thank you, Congressman.

Excuse me. Like my peers, we are looking at some of the similar components in Cleveland. We have a rubric that we have collaboratively developed with our teachers' union where we gather evidence of performance through observation and other artifacts.

We are a state that uses student data although we do not use a full suite of data in the state of Ohio. We use a single measure which is a concern of mine because tests—the tests we are using were not designed for those purposes. They weren't validated and

made reliable for those purposes. So a suite of multiple measure would be more effective.

And we need to make sure that we attend to the content knowledge in these professionals as well, which is often not as easily measured through the observational measure.

In addition, I would say we have to focus it on the development of practice as well and so we have used our 22 observational elements to drive professional development that if many of the teachers in our system are low in a particular element that that should tell us what we need to be supporting those teachers and their improvement in.

Mr. THOMPSON. Mr. Given, please.

Mr. GIVEN. Let me reinforce a couple of points that have been made already but I think are really critically important.

One is first brought up the value added that a teacher brings to an individual student, how that student is progressing during the year with the teacher I think is a—the critical element, not an absolute measure, but what are they adding from a value perspective to that student.

Secondly, looking at the scope of things, so as Dr. Richardson pointed out, it is not just what they are teaching but how do they interact and how are they part of the school community as a whole.

And then looking at the multiple measures and then perhaps more, most importantly, what are you doing with that evaluation? How are we training them differently based on the data we are getting from evaluation and what is going—what is the next step to make everyone better and to give that student a better experience?

Mr. THOMPSON. Thank you.

And I would just close my comments with, you know, we also—the competency of the supervisors who are doing those evaluations is—we need to improve that as well.

Thank you, Chairman.

Mr. ROKITA. Thank you. The gentleman's time is expired.

Mr. POLIS is recognized for 5 minutes.

Mr. POLIS. Thank you.

This is a very exciting hearing. I hope it provides a good start for our committee to do its important work in getting accountability right. I think it is important that many years hence from No Child Left Behind, 12 years hence, that we don't take a step backward, but we can certainly acknowledge that we need to make accountability work, improve transparency.

I don't see this as fundamentally ideological or partisan. I think we have learned a lot of lessons about getting the accountability right and your testimony is very valuable in helping us construct the correct federal approach.

My question is for Mr. Gordon. Congratulations on Cleveland's success, in particular the growth and successful charter schools in the last decade.

I have seen results from one of your charter school networks, Breakthrough schools, which serve over 2,000 K-8 students in nine schools. I understand that seven of them are authorized by your district and many of them share facilities with other schools.

Breakthrough students, which are more than 97 percent minority, 85 percent low income, significantly outperformed Ohio public

school students on tests at every grade level. Congratulations on that and some of your other great success stories.

How have you been able to design an accountability system that supports quality schools regardless of their—whether they are run by the district or public charter schools in a fair and agnostic way?

How have you been able to set up an accountability system that looks at all of the schools equally rather than singling out certain kinds of schools for more or less accountability?

Mr. GORDON. Thank you, Congressman.

We are in the process of doing that work now but we did it through legislation in Columbus. Ohio has had a traditional structure of charter versus the district and creating competition.

We recognized in Cleveland that that was failing, that all we were doing was arguing about who owns children as opposed to whether they were learning.

And so as part of the legislative package that we sought in Columbus with the support of our Republican Governor and bipartisan support, we actually have a commission of citizens of Cleveland representing our traditional public educators, our charter partners, business leaders, philanthropic leaders who are tasked with evaluating the performance of all of Cleveland's schools including our charter schools and reporting that to the community and doing so not only on the measures available by state but also by asking who they serve.

So ensuring they serve representative populations, the attrition rates so that we can ensure that students who arrive at the school stay at those schools, and other factors such as that.

Mr. POLIS. And you are using the same criteria to evaluate schools regardless of whether they are run by the district or by charters, is that correct?

Mr. GORDON. Yes, sir, that is correct.

Mr. POLIS. Thank you. And how has the growth of high-performing charter schools like Breakthrough and others put positive pressure on your school district to improve other failing schools?

Mr. GORDON. Congressman, again I think the big difference in Cleveland compared to all of Ohio is of the willingness for our two organizations, our two—for us to partner. So we are working hard to learn from our partners in the charter school world.

They have also looked to us, for example to build out on their teacher evaluation system. It is in the shift from competition and to a collaborative desire to improve the quality of experience for children in Cleveland getting more kids in better seats regardless of who owns them.

Mr. POLIS. Thank you.

And my final set of questions is for Mr. White.

As you mentioned in your testimony, your accountability system is evolving to include not just grade level proficiency and graduation rates but also real world college and career attainment measures, dual enrollment credit, post-secondary enrollment; terrific measurements.

We are going in a similar direction in Colorado. I want to ask how you see these additional requirements as consistent with a basic federal role in promoting accountability and transparency.

Wouldn't setting statewide goals which include proficiency and growth allow the federal government to hold states accountable and in addition be able to build in-state measurements to build—meet your particular needs in Louisiana?

Mr. WHITE. Yes, and I think the federal government has already established rules regarding some basic parameters on issues like the graduation rate, for example, which has been a very positive step for this country. But that basic idea of parameters within which states can innovate is the appropriate framework for accountability in the reauthorization.

Mr. POLIS. Before the federal government got involved with the calculation of graduation rates, 12 different states were calculating in different ways and making it very difficult to compare?

Mr. WHITE. They were, but if you also look at how, then, states are using graduation rates in their accountability systems, it varies. In our state, we have a straight graduation rate, but we also have a graduation index that measures ACT, advanced placement, and dual enrollment credit. So there are basic parameters that should be set but within those parameters the states should be able to innovate.

Mr. POLIS. And I would also point out that states establish their own graduation requirements and in some states like mine, school districts actually have that prerogative. Thank you for your testimony

I yield back.

Mr. ROKITA. I thank the gentleman.

Mr. Guthrie is recognized for 5 minutes.

Mr. GUTHRIE. Hey, thank you, Mr. Chairman.

I appreciate the opportunity to be here, and I was in the state legislature before and in my home state we are actually going through some opportunities for the state commissioner now to take over some schools because some legislation I worked on and it was kind of inspired by No Child Left Behind. And I know there are things we have to fix in it, but certainly the goals that we close gaps and we improve all children—certainly what my predecessors before I was here had in mind.

And New Orleans, I am kind of interested in that model. Obviously the people and school system, before, wanted kids to learn, but now there has been documented improvements since you were able to take over the school system, I understand, or the state interacted with the school system. What have you done different?

I mean, if you could say this is the story of New Orleans and two or three points and say this is why we were able to get the achievements out of the same demographic of students that you didn't have before, and I know everybody wants them to do well, but you all were able to get the performance. What was different?

Mr. WHITE. I think two simple principles. Number one, big investments to make sure the absolute best educators are in every single classroom and number two, a governance structure that puts the resources at the school level, the power to choose how we address students' needs at the school level, and power in the hands of parents to choose the right school for them.

That kind of structure drives innovation and innovation close to the child, I believe with everything we have seen, is 100 percent

necessary in order to solve the problems of those students who bring the greatest problems to our classrooms.

Mr. GUTHRIE. How do you identify the highly effective teachers and make sure they were the ones? And did you fire teachers that you—did you have the ability to fire teachers that weren't highly effective?

Mr. WHITE. I think that starts with governance and every manager in that school system is fully empowered to make those decisions at the school level. Every single one of them is required to have a teacher evaluation system, but, you know, those parameters were defined by our state board to meet our needs and that governance was defined by our state board to meet our needs. When we are given that authority and given the mandates that came with the federal law, but given the authority to design a solution, we will do it.

Mr. GUTHRIE. Did you replicate that in other parts of the state now? Are you—

Mr. WHITE. We are. We are creating similar zones of empowered schools in our most challenged areas most notably in Baton Rouge, the city and little bit to the north of New Orleans.

Mr. GUTHRIE. Did—so I know that the system the kids are graduate—are doing better. Do you still have schools that are—parents have the choice to move kids within public schools within New Orleans, I understand.

Are the schools just essentially abandoned now I mean are—because parents have chosen to move them out or did you have to close schools or do you bring reinforcements in the schools?

I mean how did you—I assume you haven't closed schools and so when you see parents make decisions to leave the school, what do you do to that school to change because you want the competition to go on and innovate that school instead of close it?

Mr. WHITE. That is why I say in my testimony that we should not start with the idea that there should be a rule for how you turn around every low performing school.

We should start with the basic idea of, what is every resource at our disposal to ensure that every child who is in a struggling school has an alternative? And if that alternative means turning it around then we should require real transformation in turning it around.

I believe we should require governance change when we are going to say that that school counts as part of the plan for a better seat for that child. We can no longer, you know, muddle around with year after year after year of prescriptive, corrective action from Baton Rouge, from Albany, from Washington, D.C., wherever it happens to be.

We need to insist on real change. That starts with giving parents choice, and if we are going to say that a school is in a turnaround plan, then that means we need to change governance.

Mr. GUTHRIE. We saw that at Frankfort, in Kentucky. That was, how long are you going to let it go before you know—we have the two cycles of if you fail and my idea was you don't go out looking at schools and point your finger, you find successful schools and how do you replicate that.

That is what we are trying to figure out. So I am interested in how you have replicated that throughout Louisiana. Was it things

in the No Child Left Behind Act that—the things that you had to—got in your way or did it help you, did it hurt you, was it indifferent to you? And how can we improve it to make sure you have the ability to do things like you have done in New Orleans?

Mr. WHITE. I think two things. Number one, the corrective action regiment of prescribing year after year after year of planning needs to go. Second, we need to allow federal dollars to be able to spend—be spent by states longer-term.

The answer to your question, on how do we turn around schools and it is not the only way, but how we do it is make investments in charter management organizations who themselves are operating schools in Louisiana so that they can scale.

Those schools then become our home-grown turnaround solutions. They come in and they become the managers and the instructors within those schools that have our greatest challenges.

So we are growing our own solution, but only because we can make long-term financial investments through state and philanthropic dollars in those organizations. We should be able to do the same thing with federal dollars.

There is too much federal purchasing power for us not to be able to make long-term investments in what works and that would be an application of that in Louisiana.

Mr. GUTHRIE. Thank you. Thank you. It is interesting to study more.

Mr. Chairman, I yield back.

Mr. ROKITA. I thank the gentleman.

Mrs. Davis is recognized for 5 minutes.

Mrs. DAVIS. Thank you, Mr. Chairman.

I wanted to turn to you, Mr. Gordon for a second. I know you spoke about the fact that districts need to set performance targets for student learning and you also mentioned that the federal government can require those targets to be set by districts. So help us a little more why is that necessary?

Mr. GORDON. Congresswoman, it is not that I think that it is the only strategy, I think there are several.

So for example, NAEP is a great tool that is already used across our country that would allow you to know whether Ohio is moving achievement for children in the same way that Louisiana is and then to differentiate your level of investment and support in our two states.

What I think is necessary is that you can be assured that your investments in Cleveland are providing the same high-quality level of education for the children in Cleveland that you also want to New Orleans.

And I think without having some common expectations of us in the field whether it be in our districts, in our schools, or at our states, you don't have the confidence that your investment in my graduation rate is the same as the investment in New Orleans' graduation rate.

You do that through some kind of common measures that allows you to assess whether that investment is delivering at your expectations.

Mrs. DAVIS. Have and of course—and I am sorry I had to be out of the room for a while so I am just wondering, is there any—does anybody disagree with that on the panel?

You basically agree that it is important to have those high expectations that are set that the districts obviously play a very important role in that. I was a school board member for 9 years in San Diego so I understand that, but I think our concern obviously is what the federal role should be and whether it is in evaluation systems, making sure that they are done and, you know, where that role really lies. Anybody?

Go ahead, sir.

Mr. GORDON. Congresswoman, I would say our evaluation system is an example.

Cleveland chose to create an evaluation system based on the evidence and research that is a higher bar than the rest of the state of Ohio. One of the challenges that I have as the superintendent in Cleveland is that my evaluators not only need to pass the credentialing that I set for my teachers, but they also have to pass the state of Ohio's prescribed credentialing even though we are using a higher bar.

So my evaluators, my principals, and teacher evaluators are now taking two assessments to demonstrate their readiness. My dilemma is, do I reduce my expectations to the Ohio standards so that we only use one of credentialing since they can't be waived through flexibility against the criteria?

So my position is that the federal government is making a significant investment in cities like mine, needs to be able to set expectations for performance, and then does need to be able to provide the level of flexibility that gets to me at the school level to do the work and where states are allowing that to happen, I think that is great. I think there are other states who get caught in complying their way to quality and that there needs to be some mechanism to ensure that their flexibility actually arrives at the school.

Mrs. DAVIS. Is the measure for that though significant that the folks who are looking at that at the Department of Ed for example, I mean, how is that being translated in a way that you have that support and at the same time you are not overburdened by it?

Mr. GORDON. In the way we are looking at it in Cleveland is we are trying to model what we have learned through some of the waivers in other states including Indiana and Michigan and some others.

We are aggressively working with our state department to seek an innovation zone waiver that says we have sought legislation that allows us to do this. We set high accountability for ourselves, and we are asking again what I am asking of you—we have set targets that the state should expect of us and in exchange we are asking them to give us the freedom to do the work.

Mrs. DAVIS. What else is missing?

Mr. GORDON. You know, I think for us as a state, it really is—we have tackled the legislative barriers in our state. We have tackled the financial challenge through our community. We need the flexibility to move.

I am trying, right now, to invest in 13 schools all of which are in some level of compliance through our state and the Department

of Education, and I cannot reconcile the kinds of things that we know have worked in Indianapolis for example because they are contrary to the expectations of compliance in my state.

Mrs. DAVIS. Okay.

My time—did you—Mr. Richardson did you want to say something?

Mr. RICHARDSON. Congresswoman, I think again the key piece is going to be, can you set parameters that will give us clear direction and at the same time drive the actual implementation down to the district—into the building level?

And that is the devil is in the details I think in the process, but if you can create that then I think we have the combination that we are going to need.

You heard flexibility from I think everybody at this table. We need to have that flexibility but you have to set—which means you have to set these parameters in a way that doesn't end up having us mired in the bureaucracy.

Mr. ROKITA. The gentlewoman's time is expired.

Mrs. DAVIS. Thank you.

Mr. ROKITA. We will now hear from Dr. Heck for 5 minutes.

Mr. HECK. Thank you, Mr. Chairman.

Thank all of you for being here. You know, it seems as we—I represent Nevada. In Nevada, the school districts are set up by counties. So each one of the 17 counties is its own school district, which is unique I think and presents certain challenges because we have urban, rural, and we actually have frontier counties.

So obviously every school district has some unique needs. Clark County school District is the fifth largest school district in the country with over 300,000 students.

And it seems as we talk about accountability the rate limiting factor where the federal government always tries to hold people accountable is for funding. That is the hammer for accountability.

And Mr. White, in your written statement you talk about—you mentioned that states that can't achieve performance goals entailed in their plans should receive fewer funds, yet some argue that the answer to the inability to achieve those goals is a lack of funding and that perhaps they need more funds to actually achieve the goals.

And in your response to my colleague, Mr. Guthrie's question you had stated that big investments—you made a big investments to make sure the best teachers were in the classroom.

So how do you answer the question where you made it big investments—what were those big investments that put those best teachers in the classrooms and how do you answer the charge that well if you don't meet the goals that you may actually need more funding to meet your goals.

Mr. WHITE. I think as a matter of policy having worked at the state and district level, I can tell you that one of the unfortunate consequences of No Child Left Behind is that it sent billions of dollars toward failing enterprises, and I think for no organization is that strategy a good one.

I think we need to, in part, predicate federal dollars on states doing what they say they are going to accomplish for children. I think the reciprocation for that is for the federal government to get

out of the business of tying federal dollars to how they think we should behave every day.

It has the effect of creating dozens and dozens of different little planning processes, which is really what unfortunately the spending side of No Child Left Behind constitutes. There should be one plan, one simple plan from every state in response to one simple set of parameters from the federal government.

With respect to the question of does that then deprive the most disadvantaged? No, I would actually say that what it does is it causes the organizations that are responsible for the struggles to actually focus their resources where they matter most.

The reality is if we look at schools today, the sad fact is they are predominately funded on a teacher's salary model which preserves status quo rather than drives the resources to the lowest-income communities.

I can guarantee you that the best thing the federal government can do would be to send a wake-up notice to people who still use that model by saying that federal dollars will now be predicated on outcomes and you would see real policy changes in that regard.

Mr. HECK. I appreciate that.

Dr. Richardson, in your statement you mentioned that the draconian sanctions placed on schools and districts that are identified as "In need of improvement," which I would assume therefore cannot meet performance goals financially punishes those schools and the students that face the greatest challenges. Hearing what Mr. White just mentioned, how do you rectify the idea of funding related to performance?

Mr. RICHARDSON. I think in terms of looking at the needs of individual school districts in the needs of individual schools that some of the structure that is currently in place so with No Child Left Behind especially in terms of the sanctions which actually take dollars away from a building who is in the midst of their own school improvement plan to increase the quality and performance at that time makes it extremely difficult for them to move forward.

And I think the issue and actually I think Mr. White shared it is the idea that to some extent you are going to have to push dollars in to provide additional high-quality staff, to provide additional programming options to meet the need. What we found instead I think with the initial iteration with No Child Left Behind is that we were constantly drawing dollars away from our neediest schools at a time when they needed those dollars most.

Mr. HECK. I see.

Mr. Gordon, in your statement you mentioned how the Department of Education waiver initiative gave you more flexibility to productively spend the federal Title I funds on effective school improvement measures, and then you mentioned that there is still a need for additional flexibility to allow superintendents like yourself to better tackle academic and capacity problems in the most difficult Title I schools. What are some of the flexibility parameters that you would like to see?

Mr. GORDON. I would say the single most apparent example would be that I absolutely agree that we need to tackle our lowest schools and in our state we have the lowest 5 percent, which most

of them are in our eight urban communities meaning that two-thirds of my district gets identified in one swipe.

I do not have the ability to say where I am going to start the work in Cleveland. So as one example we had improved a school from an F school in Ohio to a C school only to have it identified as one of the single lowest performing schools in the state with no opportunity for me to say I have got this school moving, I really need to move these resources to another place where the school is actually trending backward.

It is that kind of flexibility that allows my state and the district to interact together to determine where are we going to use these resources most effectively.

Mr. HECK. Thank you.

Mr. GORDON. Thank you.

Mr. HECK. Thank you very much.

Thank you, Mr. Chairman.

Mr. ROKITA. The gentleman's time is expired.

We will now hear from Mr. Tierney for 5 minutes.

Mr. TIERNEY. Well, thank you.

This has been an enlightening conversation. I thank all of you for your testimony, thoughtfulness, and my colleagues as well.

You know we look at this all the time about the federal involvement sliding back what 30 or 40 years ago with traditional mandates that states had to educate kids that were minorities or challenged economically and then with disabilities states could either take the money the federal government gave them and live up to the standards or not take the money on that, but we have always had this tension between what is a right accountability standard and how much flexibility and whatever and let us be serious here.

If the states had done their job, there would be no need for the federal government to come in. So it is hard for some of us to say well just give the money to the states and let them have flexibility because they will fix the mess they got themselves into. It doesn't make a lot of sense on that.

So I think we have to find a way to deal with that tension. And my feeling that only what a small percentage of money is coming from the federal government really mostly your money is your own resources, state and local.

We have had a lot of great particular questions. I am going to step back a little on this and ask a question. We have had a lot of evidence lately and a lot of science telling us of the positive impact that pre-K education can have.

That if we can really bring kids to school who have the right nutrition who had all of their health concerns addressed, whose parents were helped to make sure that they were able to raise these children, get them ready for school and reading and language and all of that, that would have a positive impact.

That would lower the dropout rate, increase the graduation rate, put less or fewer kids into special ed and all of that. So if we take a premise that there is going to be a hard time getting any more money from the federal government down and we have a very limited amount of money, do any of you think that it would be wise to have that money go toward a pre-K program and leave K-12 to

the states and local communities or not or should it somehow be split?

What would be the impact of that? Anybody can start. I would like to hear from all four of you.

Mr. White?

Mr. WHITE. Thank you, Representative.

I am sure I—my opinion is shared that we could always use more money, but I would say that my finding has been that states use their pre-K dollars be they in childcare, be they in pre-kindergarten, or be they in Head Start in generally inefficient ways because the system of early childhood education that exists in most states is so fragmented and that it almost guarantees that kids fall through the cracks.

States can, through their own statutes and regulations, unify to use their funds much more efficiently than is predominately the case, and I certainly am working on that in our state and urge other states to do that as well.

Mr. TIERNEY. And would they have enough money for a really good pre-K program without any—deviating money from the K-12 federal resources to the state resources?

Mr. WHITE. Again, certainly I would like our own state legislation to levy dollars for purposes of early childhood but we are not using our current dollars as efficiently as we can and it has to be step one.

Mr. TIERNEY. I understand. And I guess I will extract my answer out of that.

Mr. Richardson, go ahead.

Mr. RICHARDSON. Congressman, I think as we are working with it in Minnesota, right now we are currently looking at the state stepping up and increasing the level of funding in terms of preschool programming.

I think one of the key issues I think that we are discussing right now is what is the accountability in terms of the preschool program in terms of how those dollars are going to flow to various preschool providers and really thinking about does that need to be structured in a way that again makes sure that we have the kind of accountability we need or is it going to be laid out in a voucher strategy where basically parents can take the dollars and go wherever they want to go.

So I think a big part of this is going to be, I think, states stepping up to do this piece but I think also they have to do it with some real structure and some accountability at that level.

Mr. TIERNEY. I guess what I was trying to ask and apparently didn't do too well on that is would you get better bang for your buck in the federal money if you just focused all of that on pre-K and said we are going to help, you know, states and local communities get the best pre-K program they can possibly have and leave states and local communities to their own devices for K-12.

Then you have all of the flexibility that you want. You wouldn't have as much of a burden on your pre-K and you go about your business.

Mr. GORDON. Congressman, I would say you would get some bang for your buck but not better bang for your buck. We know the

impact of high-quality preschool education, but it is the first step, and then you need booster shots essentially along the way.

We know that up to half of the difference between urban student performance and suburban is the opportunity gap; what happens in 12 summers or the extended learning time, and those things don't stop right after pre-K or kindergarten.

So you would get some immediate growth but then there is still the responsibility to have the right level of resources and time people and resources to ensure that that growth is sustained over time.

Mr. TIERNEY. Thank you.

Mr. GIVEN?

Mr. GIVEN. We don't play in pre-K directly. That is not someplace that we have a lot of experience. We certainly echo the need for those resources in other places.

The high school dropout rate, for example, if we start taking dollars and putting them all into pre-K and we leave this generation of kids that are going to graduate or not graduate from high school alone and not give them the extra support they need, that is problematic because you have got a 12-year waiting time for those kindergartners to get into 12th grade, and what are we going to do with the kids that are already in first grade. So I think that there is that there is—

Mr. TIERNEY. I guess the premise would be that you would have all of the money you know—

Mr. ROKITA. The gentleman's time is expired.

Mr. TIERNEY. I understand that. I ask the gentleman for 30 seconds if—

Mr. ROKITA. The gentleman's time is expired. We will now hear from Dr. Bucshon for 5 minutes.

Mr. TIERNEY. You guys are nuts, you know it?

Mr. BUCSHON. Thank you.

Thank you, Mr. Chairman.

This—my question will be a little bit off the beaten path, but it has to do with finances and generated by an email that I received from a person who works as a clerical person in a school district in my district in Indiana.

And I will direct this to Dr. Richardson and to Mr. Gordon. Have you had discussions about compliance with the Affordable Care Act and how that may have an effect on your school district?

Dr. Richardson?

Mr. RICHARDSON. Congressman, yes, we have, and I think districts across our state and I am guessing across the country, are having those same discussions.

I think the key pieces we are looking at right now are really around determining who is eligible for insurance and where we thought initially it seemed very logical that it would be full-time employees and employees that have jobs over 20 hours per week.

What we are now finding is, as people are beginning to look at the nuances they are telling us well, that this person works 15 hours a week but then they also coach in an extracurricular activity or they take tickets or they do other pieces, what we are hearing is that those are going to be combined together to determine if that individual is eligible for insurance benefits.

And so what I think we are seeing is the potential of significantly more individuals being eligible for insurance than what we thought, and I think for districts across the country that is going to mean significantly more dollars that are going into paying those benefits for the employee as part of the Affordable Care Act.

Mr. BUCSHON. Mr. Gordon?

Mr. GORDON. Thank you, Congressman.

We too have been looking at this carefully. What we have found is we are a self-insured organization because of our size. We have a very veteran staff.

What we have found is that our health care costs have been escalating dramatically even prior to the health care act. So where we thought we would see impact on projections of cost, we did not.

What we are seeing, though, is that there are limits then on how much we can ask our member employees to contribute that will have impacts on how we negotiate that the share of that escalating cost.

That is a concern for us, and it is really going to lead ultimately in plan designed change. We have a very wealthy health care package after years of negotiating and it is going to mean really redesigning that health care package in a way that remains sustainable for us without reaching some of the affordability caps for members.

Mr. BUCSHON. What percentage so to speak of your employees that work for your district do you currently provide insurance coverage for?

Dr. Richardson?

Mr. RICHARDSON. I would say somewhere in the neighborhood of 80 to 85 percent of employees.

Mr. BUCSHON. Okay.

Mr. Gordon?

Mr. GORDON. Nearly all and it is because we have all full-time employees or nearly all full-time employees.

Mr. BUCSHON. Okay, because let me give you the example that I got from an email from a school district. Their district is a small district. They have about—they have 52 clerical-type people that were not, you know, not being provided insurance, and what has happened is they have all had their hours cut to 28 hours per week.

So I am just wondering, you know, if this is—I think this is going to be broad-spread across a lot of school districts around the country. I am very concerned about that for a couple of reasons.

Number one, as a physician, I think everyone needs to have access to quality affordable health care in a timely manner, but my concern is is that the people that we are trying to help may actually be disadvantaged because of this.

The City of Long Beach, California for example has recently reported in the Los Angeles Times I think it was—something like 16,000 part-time employees—are cutting all of those people to less than 30 hours based on affordability. So do you have any projections about what the costs maybe to your district just off the top of your head?

I will start with Mr. Gordon.

Mr. GORDON. I am sorry, I don't today.

Mr. BUCSHON. Okay.

Dr. Richardson?

Mr. RICHARDSON. I don't think I am in that position at this point to give you a number. And I think one of the things, Congressman, is the fact that I don't see us necessarily reducing anybody's hours, but what I do see is those people that have again these multiple positions where we had positions would never be part of this because of their extremely part-time nature are now going to be counted together with other parts of positions to create jobs that are over 30 hours. I think for the most part though we will keep everybody in place at the hours they are at.

Mr. BUCSHON. Okay. Thank you.

I yield back.

Mr. RICHARDSON. Thank you.

Mr. ROKITA. Thank the gentleman.

Mrs. Davis recognized for 5 minutes. Excuse me—correction—excuse me, Ms. Wilson for 5 minutes.

Ms. WILSON. Thank you. Thank you Mr. Chair.

As a former teacher, school principal, and school board member, I can personally attest to the importance of a strong federal role in education.

As local districts face cutbacks and financial hardships under the sequester this is the case more than ever. We need federal support to ensure equity for all children and equity in student opportunity.

There is nothing that we should call an achievement gap. It is called—it should be called an opportunity gap because that is where the gap is and if the federal government were not involved in education, I would not have ever gotten a new school book where someone else had answered the math problems—that I had to erase the answers.

And it appears as each year we put our poor little children in petri dishes, and we use them as experiments when we know that all of this leads to just money, privatization; we just experiment with them.

And I think as we wrestle with these issues I hope we can categorically reject vouchers as a way forward. Vouchers, simply put, they gut our public education system, and I think we should maintain our support for free, quality, public education.

Mr. Gordon, in your testimony you said federal accountability for the performance of the student subgroups is essential. Why is the federal role in education so important and what federal parameters would—should we preserve in the new ESEA?

Mr. GORDON. Thank you, Congresswoman.

I would argue that subgroups are critical, actually, because of my experience outside of urban education. Prior to coming to Cleveland I taught in an affluent suburban school district in the Columbus, Ohio area where we had very low numbers of minority children, very low numbers of children whose first language was not English, and significantly lower numbers of children with special needs.

In that district, we were able to meet Adequate Yearly Progress standards at the time and our states of local report carding whether or not those children performed. Which means that in that system you often could and did lose minority children, children who don't speak English as a primary language, and children at risk.

Now I picked that up and bring it to the city that is where my passion is and where my work is; it is a lot more transparent. We are more visible about it. That needs to happen in Ohio's smallest and most homogenous districts in the same way that it is happening in Cleveland.

There is more movement to be done in Cleveland. We have a lot further to go, but I know the children who were essentially vanished in systems that—where they were washed out because of not paying close enough attention to the N-size of the subgroups.

Ms. WILSON. Thank you.

This is for Mr. White.

Prior to the federal requirements of No Child Left Behind, only two states included student subgroups in their accountability system. Federal requirements changed that.

Doesn't history tell us that federal policy should still set guidelines around the state accountability systems so that they serve the needs of all students?

Don't you sometimes face pressure to serve adults' interests rather than student interests and doesn't federal policy sometimes give you momentum to do the right thing for the students?

Mr. WHITE. I think the federal government should absolutely set parameters within which states should plan.

I think the unfortunate consequence of the federal government trying to achieve so many different things for so many different people is that we create so many different categories and so many different rules and regulations and that out of the best of intentions we end up confusing schools who don't really think about their kids in categories, they think about them as individual human beings and they plan around their individual needs.

So we have maintained subgroups in our accountability system. We support systems that protect the rights of the most disadvantaged, but we need a simple system from the federal government that allows schools to plan around the kids they know and love, and not around a bunch of rules and red tape.

Ms. WILSON. This is for everyone. High-stakes testing has held—

Mr. ROKITA. The gentlewoman's time has expired.

Mr. Loeb sack is recognized for 5 minutes.

Mr. LOEB SACK. Thank you, Mr. Chair.

And I want to thank the witnesses for being here today. When you are near the end of the question time you get to hear a lot from a lot of folks and I get to learn a lot. So I really appreciate not only the questions, but especially the answers from all of you today.

I have been in office since January 2007. I think it is fair to say that many of us in this body and certainly a whole lot of folks from around the country including I am sure all of you here, have grown pretty weary of yet again reassessing No Child Left Behind, yet again trying to reauthorize ESEA.

It is clearly time and we have got to do it, but we have got to do it in the right way and I really appreciate in particular Dr. Richardson, you know, and what you said you summed it up but—and we have been talking sort of around how you summed it up in trying to delve a little bit more deeply into the different issues

when you said that the parameters have to be right at the federal level but the flexibility has to be right at the state and local level.

I don't think anybody would disagree with that. I don't think anybody in this room would disagree with that. The big disagreement and the big question comes as to how much we are going to be doing at the federal level, what those parameters are going to be, how much flexibility there is going to be at the state and local level.

That is really the question. I think it is the essence of what we are trying to figure out today, and so I am looking forward to continuing to work with folks on both sides of the aisle to try to get this right, to try to get the balance right.

And just so you know, before I decided to run for office and when I ran in 2006, some years prior to that, I had been hearing about No Child Left Behind because my wife taught second grade for over 30 years.

So she and her friends had my ear quite a bit as you might imagine about all of the problems with No Child Left Behind. I am one of those who is a strong proponent of looking at the whole child. We have already talked a little bit about that today.

I think that we have clearly got a—we have to focus on academic achievement; there is no question about that. I taught at a college for 24 years. I wanted those students to be ready when they came to that college where I taught and if they weren't, I wasn't very happy as you might imagine.

The fewer the remedial courses I think at the college level whether it is 2-year or 4-year, whatever, the better it is, but academic achievement we all know that is critical but we also know that students cannot be successful without the proper nonacademic supports.

Recent tragedies I think at Sandy Hook and other places really only reinforce the need to strengthen access to mental health, other nonacademic support personnel, including counselors, nurses, psychologists, social workers, but very little attention has been paid.

It is a resource issue, I get that. I understand that, but I think we have to have the policies right too. I am going to be introducing a bill this week that is going to focus on these nonacademic supports.

Mr. Gordon, you mentioned, again, I would just like to go back, you already did respond to some extent, but you mentioned the Cleveland School District's focus on conditions for learning surveys, social and emotional learning curriculum, the tangible successes that you had in these areas. Can you provide a little more detail on specifically those successes?

Mr. GORDON. Congressman, thank you.

First of all, I would say that any school district or school that is looking at these non-academic supports needs to think of them in the context of academics and so one of the big disconnects that I think you see around the country is those of us who think of them as a separate.

In Cleveland, we think of them as integrated together. We have a promoting alternative thinking strategy curriculum that we teach to all of our children that is a literacy-based curriculum so that we are embedding it within academics.

We put planning centers in place to reduce discipline incidences. We have reduced instances over 48 percent over the last 4 years. We have cut our suspensions in half. We have reduced our expulsions by 11 percent.

We think about the student support team so that we reduce the number of kids who are over-identified into special education services, so while we are still too high, our numbers are going down, not up.

But we do it all in service of the research and evidence and programs that are connected to kids to demonstrate these kinds of behaviors which can be measured and also demonstrate higher levels of literacy.

So we aren't out there simply saying "let's implement a character education program so everybody feels better about themselves," we are actually saying that we need to implement an alternative thinking strategy that allows kids to self-regulate, self-manage so that they can actually access content, so that they can problem solve without getting frustrated, those sorts of things. So those would be some examples.

Mr. LOEBSACK. Well, thank you. And I think that we can certainly use those as models. Again, not to be overly prescriptive at the federal level with however we reauthorize ESEA, hopefully sooner rather than later.

But nonetheless, I think it is important that when all of us go to our districts and we talk to folks like you, not just here in Washington, D.C., but on the ground, that we listen to what you have to say and that we take advantage of your success stories.

So thank you very much to all of you. I appreciate it. Thank you. Thank you, Mr. Chairman.

Mr. ROKITA. Gentleman's time is expired.

Mr. SCOTT is recognized for 5 minutes.

Mr. SCOTT. Thank you, Mr. Chairman.

I want to thank our witnesses. This has been a very informative hearing.

When we passed No Child Left Behind many years ago, one of the things that we insisted was that people graduate from high school, and if you allow a high dropout rate you have a little perverse incentive for that because people are dropping out from the bottom, the more people dropout, the higher your average is.

If you don't have a factor punishing school districts for a high dropout rate, you actually give them an incentive to allow the dropout rate to creep up.

Unfortunately we gave a lot of flexibility to the localities on how they measured dropouts, and we found that even the dropouts, some dropout factories with 50 percent dropout rates, were achieving AYP, so it has been a complete disaster. Would any of our witnesses give us a recommendation on how we can accurately count and set reasonable goals for graduation rates?

Mr. WHITE. Well, I think and certainly one thing that I know a lot of us have learned through our recent interactions with the Department of Education that it starts with how good the parameters are within which you can have the discussion.

I believe that with regard to graduation it has to be starting with the states at that given moment in time. On the other hand, the

measure that the federal government has rightly put in place of regarding a consistent cohort graduation rate has over—by and large taken care of the problem you are discussing regarding the dropout measure.

And so if a parameter is that the accountability system must include the federally-approved cohort graduation rate and that is the starting point of the discussion among other starting points, then that is a positive step.

Mr. SCOTT. And setting a reasonable goal?

Mr. WHITE. Yes, there should be a reasonable goal, and as I said, then you get into what are the consequences for not achieving the goal, and I think that those consequences start with a simple plan in the instances where the—it is not being achieved.

The dropout factories, we cannot correct through reams of corrective action out of D.C. A simple plan in terms of how we assure every one of those families has a better alternative is where we should start.

Mr. SCOTT. One of the—if you talk about responses to failure, one of the things I think is the least effective is the school choice thing, where if a school is failing, students have the choice to go somewhere else.

It seems to me that that doesn't help; the ones that are leaving aren't the ones who were having trouble, the ones that are left behind still have trouble and in fact, if every student made a rational choice they all ought to get up and go, and there would be nobody in the school.

Mr. White, you have indicated that you want to stop funding failing schools. Wouldn't it make more sense to provide actually more funding with a strategy—to help fund a strategy to turn it around?

Mr. WHITE. First, with respect to the overall problem of the school choice implementation, I agree with you that it was a flawed implementation.

And I would advocate and I say this with great deference and respect to my colleagues and districts, that the problem with the school choice framework as it was implemented is that it gave those who govern—the problem in the first place—the power to actually be the ones to remedy it by essentially driving themselves out of business or sort of contradicting their own internal politics.

I think that was a mistake. States should have a basic plan for how any child who is consigned to a struggling school has an alternative. We should use all means at our disposal including using more current alternatives, more efficiently and enrolling more kids in those alternatives. I don't think that a plan that consigns kids to just waste away in a struggling school is a plan for success.

Mr. SCOTT. And yes, but if you cut the funding for the school they are worse off and the ones that get to sneak out the back door are those that are politically sophisticated and you talked about politics—it helps the politics of the elected school board because the people who are presenting the most pressure to them all of a sudden can get out the back door.

It makes more sense and in fact—those who are politically powerful try to figure a way to get out of the school rather than going to the school board and saying my children are at the school you better fix it and those—the ones that have the influence to really

move the school board sneak away, and you are relegated with a bunch of people with no political influence in a school if you cut the funding with less money.

Mr. WHITE. Two quick responses. Number one, it has not been my experience that those who are politically disconnected don't take up choice opportunities when given it.

In New Orleans, our population is 96 free and reduced lunch and every single parent participates in a city-wide school choice process every year.

Secondly, I would say that the real systemic underfunding doesn't come from federal dollars, it comes from local and state dollars where we fund based on the salaries of inexperienced teachers and low income communities, experienced teachers in high income communities, and if we really want to change that, we need to give states and districts a better mandate, a better impetus to change than we have given them and I think that starts with money.

Mr. ROKITA. Thank you.

The gentleman's time is expired.

Ms. Bonamici is recognized for 5 minutes.

Ms. BONAMICI. Thank you very much, Mr. Chairman.

Thank you all for your testimony.

As a member of Congress and a former state legislator and a public school parent, which I was for more years than I have been in elected office, I have spoken for many years with parents, students, teachers, administrators, about these issues and there seemed to be two sort of common themes of concern that I have heard; and one of them is about budget; and I appreciate the conversations we have had about that and I truly urge all of my colleagues to work on getting rid of the sequestration cuts that are affecting Headstart, IDEA, Title I, Title II.

Our local budgets are not able to make up those gaps so that is one concern. And the other seemed concerned that I hear is about the high-stakes testing or teaching to the test. When this happens is the focus on the teaching to the test subjects that help students get a well-rounded education like arts, music, PE, social studies, second languages all get left behind, and I chose those words carefully.

Dr. Richardson, I agree with your analysis about the flaws of No Child Left Behind including that the focus on what is tested at the expense of other important subjects, the reliance on a test given at a single point, and I have heard again and again there are too many summative assessments and not enough formative assessments and also the draconian sanctions.

So thank you for recognizing those problems. I have to say as someone who sees strong public education is key to economic development, I have never heard a business recruiter say they need a good test taker.

They want people who can communicate. They want collaborators. They want problem solvers, and they want innovators. So what changes do we need to make to the ESEA because it is important that we reauthorize this, absolutely critical?

What changes do we need to make to ensure that students get that well-rounded education with all of the subjects that help them become creative, critical thinkers? That is who we need for the next

generation of entrepreneurs and innovators. So I would like to hear your thoughts on that.

Mr. RICHARDSON. Congresswoman, I think—and I appreciate your comments. Thank you very much.

I think that the real focus, I think, for us has been that it has, you know, ESEA has basically really focused instruction on reading and mathematics to the detriment of really all of those other areas, and again, we have not touched the concept of all of the soft skills that are part of the 21st century understanding.

My sense is that's where if the parameter says, at state and local level create a suite of assessments that makes sense in terms of not only addressing a look at mathematics and reading but also looks at the other areas.

And also look at, how are we going to be accountable for making sure that students do understand collaborative skills, teamwork skills, and whatever as part of that process.

I don't think that can be driven beyond the parameter level at the federal level. That needs to be driven at the state and local level to make it work, and again, as I said before, the devil is in the details. You have to set the parameters that are going to make sense that gives state and local officials the ability to get the work done.

Ms. BONAMICI. Right. We talked about dropout rates. We have the data that shows that students who study art are more involved in—or art or drama—are better readers, students who are in music programs, better at math and they are engaged, they are less likely to drop out.

So I want to hear from the others about what changes do we need to make to make sure that we have these critical thinkers that we need for our global marketplace.

Mr. WHITE. I believe we have to start rooting our long-term vision regarding accountability not just in proficiency but also in real-world outcomes. The—beyond that general parameter, a rigorous accountability regarding real-world outcomes, career attainment and college attainment—actual attainment—not just an indicator but actually attainment.

Beyond that, I think the federal government has actually very limited power to do it well because I don't think we are talking about things that the federal government can mandate people to do well.

The federal government should set parameters that allow for measurement of real-world success attainment and then allow states and educators to build the systems that achieve those accountabilities.

Ms. BONAMICI. Mr. Gordon?

Mr. GORDON. I would say that I agree with that largely. I would say that what the federal government can do is look at how using these strategies, the arts, the sciences, real-world experiences, are impacting more simple measures of reading and mathematics and that is what I think NAEP already allows us to do.

I would also say that we have to call into question whether we are actually seeing the performance we needed from children prior to accountability because many people who argue that accountability systems have caused us to only teach reading and math are

the same people that are in my system where we were failing large numbers of children even on reading and math before the assessments occurred. So we can't let it be an excuse-maker. It has to be about thinking about the next level of investment.

Mr. ROKITA. Thank you.

The gentlewoman's time is expired.

Ms. BONAMICI. My time is expired.

Thank you, Mr. Chairman.

Mr. ROKITA. Thank you.

I would like to again thank the witnesses for taking the time to testify to the committee today. At this time I would like to recognize Mr. Miller for closing remarks.

Mr. MILLER. Thank you.

First of all, let me just say thank you, thank you because I think that you have shown us that if we look deep enough here—there's a pony in there somewhere, in terms of the reauthorization. I am very optimistic because I think that this panel has delineated for the members this bifurcated role; there is a state and local role and there is our role.

And I think you have demonstrated that is not an abandonment of traditional roles or traditional concerns and if we have the right accountability system, we will be able to see what you are doing and more importantly your parents and community leaders and others will be able to see what you are doing.

And, you know, I am very optimistic about this moment that we are in, and a lot of it is because of the things that you have done in your areas, but I also represent a very diverse congressional district with respect to school districts.

I have the highest performing schools in the state and I have the lowest performing elementary schools in the state and high schools, but they are making dramatic changes in my poorest performing areas. And seeing the empowerment of parents who can pick and choose where their kids are going to go and the reasons they want to go there.

Somebody said they are poor, they are not stupid, and they are making these choices and from the poorest most violent neighborhood in my district they are going to graduate school and they are also getting shot. So that is the dichotomy, but it is happening and in fact, these parents are continuing to make these choices.

Just a couple points. One is, we talk about college or career ready and you have I think made the point that this is a seamless process. You don't know where you are going to end up when you are in 11th grade.

I just met with the manufacturers—I come from a manufacturing district. It is chemicals, it is refineries, it is steel and the fact is now they are, you know, they are in joint ventures with colleges, with the state universities, with community colleges, and kids move back and forth and they are looking at credentials and 2-year degrees and back and forth.

So I think we have got to clear the air about, that this is not one or the other. The other one is the idea that you are using ACT as a confirmation of what is going on in the schools and how many students are progressing there.

I mean if you are going to try to get into college you have got to be able to pass the entrance examine or score well on that. I think that is encouraging. That mix of measurements that you have talked about at different levels; at the school level, at the district level, I think can help develop that accountability system in terms of when people look at what is happening in Cleveland or what is happening in New Orleans or in Louisiana.

I also like of course what Louisiana does in terms of following your teacher graduates—from your schools of education who are coming to teach and how they are doing.

It appears that each of you are suggesting that the data that has been driven by No Child Left Behind has in fact turned out to be very valuable in how you structure your resources and deploy your resources in schools and the mix of schools and the portfolios that you want to develop. Is that—would that—would I be correct in making that assessment?

It is not that the data is perfect, but this is data we haven't had in real time to some extent, you know, before No Child Left Behind or certainly it was hidden. Is there any disagreement on that? Or refining?

Mr. WHITE. Only that I think that states have taken that imprimatur and are now frankly well ahead of the NCLB framework and they are developing new sources of data that we should use in the next framework.

Mr. MILLER. Yes, I wouldn't challenge that at all. It was pretty primitive what we were doing. You know, I was also very disgruntled with—you know, people came in here the minute after it was signed and we said we want 100 percent of students to be proficient in 2014 and they were waving the white flag and saying we can't do that.

When I look at their districts, they were 7 percent proficient. I said come back and see me when you are at 60 percent proficient and tell me what you can or cannot do but don't, you know, don't concede at the beginning.

And I think what we have seen through the use of portfolios, the advancement of technology, the additional professional development that we see in various districts around is that we now have the ability to really develop those resources and we don't have to suffer those consequences and we can do that in real time in terms of how these teachers are doing.

And again, I see it where schools that were a dump for 20 years are now becoming—are becoming really high performing and they are also becoming high-performing for the community. There are as many parents on campus in 24 hours as there are students in some instances in the schools and they have really become a learning environment for the entire community about their children, about themselves, many acquiring English language skills.

So I just think this is an amazing opportunity and you have really plowed some difficult ground out there and we should not in the reauthorization crush that initiative. I mean, I think that is important.

There are laggards, there are people who have 1,000 excuses. I have listened to them. I have been on this committee for 39 years.

I have had more 5-year plans than the Soviet Union, and they haven't worked out terribly well; about the same, about the same.

And I hate 5-year plans because that really tells me we are sort of kissing off if we don't do it right, 7 or 8 years before we get back to that school and we revise it again and get it up and running and that looks like a lot of kids that are ill-prepared to continue on.

So I think you are going to find out that you may have really laid the foundation here for a really important discussion on both sides of the aisle about how we proceed on ESEA, and I just want to thank you very, very much.

I hope we can call on you as we go through this process over the coming months, and use you as a little bit of a faculty here.

Thank you.

Mr. ROKITA. I thank the gentleman.

As the chair of the Early Childhood and Secondary Education Subcommittee, let me say that I enjoyed the testimony that I heard. I enjoyed learning from you, and let me also say that I echo almost everything that Mr. Miller is saying.

The big difference being that as he said, he has been here 39 years and I have been here for 3. So I don't know if that is a comment on me or Mr. Miller or both, but I appreciate the spirit and the bipartisanship also of this hearing.

I am also optimistic and it is because of you and the people you represent—not only the students but also the professionals that you represent by your testimony here today and I think that is positive.

I do trust you and those that you represent perhaps more than some on this committee based on what I heard but maybe less than others, I am not so sure but the point is I trust the states. I trust the school districts to know what is best for their students first off.

And I do trust less the bureaucrats that I find in that 10-story or so building down the street to know what is best for our kids. Maybe that is the one difference today.

But certainly, we do understand and respect the roles of the different parts of government and again, I do also hope that we use your testimony as we look forward to this reauthorization and take what you have told us here today and make sure that the best, the good parts of ESEA, No Child Left Behind, whatever you want to call it, are kept at least for measurement purposes so we can do the best job we can, not for us, not for the unions, but for our children and our future.

So with that, there being no further business before this committee, I thank you again and this committee stands adjourned.

[Additional submission of Hon. John F. Tierney, a Representative in Congress from the State of Massachusetts, follows:]

Prepared Statement of Monty Neill, Ed.D., Executive Director, FairTest

Mr. Chairman, Members of the Committee, thank you very much for allowing this testimony on the vitally important questions of assessment and accountability.

My name is Monty Neill, and I am the executive Director of FairTest, the National Center for Fair & Open Testing. (See <http://www.fairtest.org>.)

Educationally beneficial accountability must rest on strong evidence of important learning outcomes and other strong information about school quality. Accountability must be structured first and foremost to assist school improvement. Where schools clearly are unable to improve, then a healthy accountability system requires stronger actions.

In this testimony I seek to accomplish the following:

- 1) To explain the scope and reasons for a growing parent, student, teacher and public backlash against high-stakes standardized testing, the central component of current accountability systems.
- 2) To summarize briefly and provide references on how and why testing has failed as the key component of accountability.
- 3) To describe and provide examples of what assessment could be, describing systems Congress should help states develop.
- 4) To briefly discuss and provide references on the misuse of testing in the evaluation of teachers. And,
- 5) To outline a step by step accountability structure that Congress could implement to replace No Child Left Behind and the waiver system the administration has persuaded many states to implement.

Please note that I also chair the Forum on Educational Accountability. I am not presenting on their behalf, but I am using a good deal of their work in presenting a superior accountability system. (See <http://www.edaccountability.org>.)

Resistance

We are in a time of rapidly growing resistance to high-stakes misuses of standardized tests. Let me give you some examples:

Providence Students held a zombie walk; they persuaded a group of prominent citizens to take the state test—and most of them failed it. They also released a program for genuine school reform, including use of authentic performance assessments.

In New York City parents and students boycotted testing in 30 schools, then held a 500-person rally. Such boycotts occurred across New York State, where 1600 principals have signed a petition against test misuse, while hundreds of researchers signed an open letter against high stakes testing. Researchers in Massachusetts, Chicago and Georgia have signed similar letters.

In Chicago, students boycotted, parents held a play-in at school headquarters, and a steady flow of public forums on testing have been held across the city. Numerous grassroots community groups have joined with parent and student groups and the Chicago Teachers Union to forge a growing movement. The union made the use of student test scores to judge teachers a key issue in their successful strike last spring, a strike that polls said had the support of a strong majority of the city's people. In response, Chicago has dropped some testing.

In Indiana, voters elected Glenda Ritz, a critic of high-stakes testing, over Tony Bennett, a staunch defender of such testing.

In Seattle, teachers have twice boycotted tests that are not connected to the curriculum and eat up computer labs for a third of the school year, denying students time to use computers for real educational pursuits. Students themselves boycotted the tests when administrators tried to administer them. The administration has reduced the amount of MAP testing—the target of the protests—and educators promise to continue their efforts to ensure reasonable testing.

And in other states, parents and students have 'opted out' of the tests, including in California, Colorado, Oregon, Oklahoma, Florida and Pennsylvania.

All this comes on top of the National Resolution on High Stakes Testing, sponsored by FairTest and a dozen others, calling for a sweeping overhaul of assessment and accountability. (See <http://timeoutfromtesting.org/nationalresolution/>). That resolution has been endorsed by more than 530 organizations and 17,000 individuals. Before that was the Texas school boards resolution, which said testing is "strangling" education. It has been signed by 86% of Texas school boards. That has laid the ground for what is likely to be a marked retreat in the amount of mandated testing through bills nearing passage in the Texas legislature.

People are rebelling over the amount of tests, the low quality of the tests, and their misuse as high stakes hurdles for students, teachers and schools.

The tests

I've not the space to discuss in detail the limits and flaws of the tests or the damage caused by their high-stakes misuse. I'll just make a couple of key points, and direct you to references.

First, the tests are narrow and measure only a limited slice of what students need to know and be able to do. High stakes pressures too many schools to teach to the test, narrowing the curriculum and undermining subject quality. This denies children the high-quality education they need and deserve. It is a likely reason why gains in NAEP have slowed and even halted in both subjects, at grades 4 and 8 and 12, for almost every demographic group. Quite simply, the testing mania is not working (Guisbond, Neill and Schaeffer, 2012).

Second, the looming Common Core tests will be, at best, marginally better, a point also raised by the Gordon Commission report. Unfortunately, these new tests have devoured hundreds of millions of dollars and may dominate schooling in the next few years. They will not solve the problem of assessment quality; the high stakes misuses remain; the negative consequences will also continue. (FairTest, 2012a; Gordon Commission, 2013.)

Third, we still have no serious proof that schools can overcome the effects of poverty and racism on a wide scale. Schools continue to account for some 25% of the variance in student outcomes. We should continue to work to improve schools, and perhaps the impact of schools can increase as schools strengthen. But pretending that schools alone will solve poverty, and will do so via standards and tests, is dangerous. It leads us to blame schools and educators for things they cannot possibly accomplish, provides excuses for continuing to poorly fund schools and related programs such as early childhood programs, and allows us to avoid addressing issues of jobs, income, housing, transportation, and other factors that, more powerfully than schools, create the odds of student success.

None of this means we should not assess students, evaluate teachers and schools, gather information that can be used to improve schools, or require no accountability. It means we have failed to construct an educationally sound and healthy way of meeting those important goals.

What should we do instead: Assessment

Over the years, FairTest and its allies have developed a multi-part proposal for assessment and evaluation. It includes limited use of large-scale tests, a core of information from classroom and school evidence, and use of school quality reviews (Neill, 2010).

Large-scale tests. Many nations with better and more equal education outcomes test only one to three times before high school graduation and largely avoid multiple-choice questions (Darling-Hammond, 2010a; FairTest, 2010). Congress should require statewide tests once each in elementary, middle and high school, in language arts and math. Congress could allow states to sample, as NAEP does. The critical point is that no stakes should be attached to these standardized exams. Rather the results would help inform an overall evaluation. Where serious discrepancies exist between test results and other evidence, that could be the basis for an investigation.

Local and classroom evidence of learning. If you want to find out what kids know and can do, look at their actual work. This is what many other countries do (Darling-Hammond, 2010b). By focusing on the classroom, we can assess important learning standardized tests cannot, such as research projects, oral presentations, essays, using computers to solve real-world problems. Such assessments enable us to evaluate higher order thinking skills and deeper knowledge about student learning than can standardized tests. (Forum on Educational Accountability). Developing and using high-quality assessment improves teaching and learning. The evidence can be summed up and presented annually to the school's community and the state (Neill, 2010; FairTest 2010).

Building the system on local evidence means trusting teachers. Some need to improve their assessment skills, so ensuring teachers can work and learn together is important. This is what high-performing nations have done (Darling-Hammond, 2010, a, b).

To ensure quality, some other countries have systems where samples of student work from each classroom are re-scored by independent raters to verify a teacher's initial score ("moderation"). This has been done well enough to ensure local quality and provide comparability across a state. (FairTest, 2010, provides examples and links.) Schools would explain their results in an annual report.

Here I will turn to two examples, as this is the heart of our position: it is feasible to use classroom and school-based evidence in an evaluation process.

The New York Performance Standards Consortium includes 26 high schools, 24 of them in New York City, that use a common use a "practitioner-developed and student-focused performance assessment system" (New York Consortium, 2013). They require graduating students to prove their subject knowledge through performance-based assessment tasks that show oral and written skill, including an analytic literary essay, an applied math project, an original science experiment showing understanding of the scientific method, and a history research paper showing valid use of argument and evidence. The tasks are practitioner-based, student-centered.

The students in the New York City Consortium schools are demographically nearly identical to the city as a whole. Their results, which they attribute most strongly to their assessment system, far exceed New York City averages, in terms of graduation rates, college attendance and persistence in college. Indeed, they exceed the na-

tional average for percentage of grads still in college in year 3. Test-based, top down education 'reform' in New York City, has not worked; the Consortium has.

The Consortium requires that students and teachers work together to develop the topics for the graduation tasks. Each student may have her own task. They are worked on over weeks, not just one or a few periods as with Common Core tasks. They are judged using a common scoring guide across consortium schools. Students must defend their tasks before a committee, including their teacher and two others, usually from outside the school—as do doctoral candidates. Samples are re-scored to ensure consistency across the schools. The system has been independently reviewed and found to be sound.

The Learning Record (n.d.) was developed for use with multi-lingual, multi-cultural populations, to assess progress in reading, writing, speaking and listening. Using a structured format, the teacher regularly observes and describes the student and her work, and collects work samples, to provide multiples sources and types of evidence. This is a very detailed process that takes place throughout the school year. The Record is a well-structured instrument that provides clear guidance on how teachers are to document learning across relevant dimensions, from phonemic awareness to deep comprehension, going well beyond what standardized tests measure. Student progress is summarized in writing and the level of learning is placed numerically on a developmental scale. LRs have been re-scored, using hundreds of records, with high inter-rater agreement, and studies have supported its validity.

I would note that there are similarities between the Learning Record and the Work Sampling System developed by Samuel Meisels, which also provides in-depth classroom-based information, can use moderation, and has been validated for use with younger children, ages 3–8 (FairTest, 2010).

These are different kinds of systems, but they are complementary. Certainly project-based learning fits with the Learning Record, and Consortium schools often rely on portfolios.

For producing public reporting, for large-scale purposes, the key point here is that teacher judgments can be verified if the structures for gathering the work and the processes of evaluation, the scoring guides and procedures, are sufficiently clear and strong.

Moderation, systems of re-scoring and sometimes score adjusting, has been used successfully in other nations (Darling-Hammond, 2010a).

My point is that large-scale moderation rooted in high quality assessment practices can work. This need not be hugely expensive provided that a) moderating becomes a normal part of teachers' work, and b) moderation uses samples. The idea here is that if 3-5 randomly selected Records or Portfolios or common tasks from a given classroom are re-scored, and the teacher's score found accurate, then we can have good confidence in her general accuracy. A placement of '3' on a developmental scale on the Record, or a passing or exemplary score on a task, would mean the same across a wider area, such as a state.

Congress should take steps to dramatically shift course to this direction. However, if Congress is not ready to take such a step, it should authorize a pilot project for states to voluntarily begin constructing truly new, educationally sound assessment systems. I attach a draft amendment toward that end.

Two additional quick points:

First, building this system requires significant professional learning. That is a good thing, because the result is superior teachers, teachers who know their subject, their craft and their students better.

Second, this cannot work in a context of punitive accountability. Evidence, outcomes, must be understood by educators and communities as being used to help improve teaching and schools. Teachers who cannot do their jobs well should be counseled out and if necessary removed, which good teachers will support, and the system I have described will provide far better evidence for that process than do standardized test scores. Similarly, schools that cannot improve despite assistance do require interventions, perhaps including staff removal. But if this is seen as the purpose of the system, or as a quite possible outcome based on bad and erratic data, as it now is in many cities, the system will not work properly.

A note on teacher evaluation

The preponderance of research evidence shows that tools such as value added and growth formulas cannot be used fairly in judging teachers in real-world contexts (FairTest, 2012b). Efforts to take account of factor such as varying student backgrounds, are inadequate. The very process of using student scores even as a weighted fraction of decisions will be damaging to the life of schools, in part because it will intensify teaching to inadequate tests. The administration should never have

required this of states to obtain NCLB waivers, nor should Congress require it when it reauthorizes ESEA (FEA, 2011b).

But, teachers should be evaluated, and student learning should be part of that evaluation. Thus, use of rich forms of evidence of student learning should be included with well-designed reviews and systems such as Peer Assistance and Review. Montgomery County used this well. One consequence was that a significant portion of teachers did leave. Another was that teachers knew they had a tool that was helpful. I use the past tense because Montgomery County believes that imposition of the use of student scores to judge teachers will sabotage what has been a productive system.

What should we do: Accountability

The Forum on Educational Accountability has proposed a fundamentally different approach to accountability. Its work rests on a key point in the Joint Organizational Statement on No Child Left Behind (2004), now endorsed by more than 150 national education, civil rights, religious, disability, parent and civic organizations: Overall, the law's emphasis needs to shift from applying sanctions for failing to raise test scores to holding states and localities accountable for making the systemic changes that improve student achievement. The Forum (n.d.) has focused on assessment, accountability, school improvement, and equity/opportunity to learn.

FEA's (2011a) recommendations on accountability for the reauthorization of ESEA say:

- Eliminate "adequate yearly progress" (AYP) requirements and sanctions, but continue reporting important data disaggregated by demographic group. Avoid tying goal of ensuring all students are on track to be college and workforce ready to any arbitrary deadline. Expect demonstration of reasonably attainable rates of improvement (e.g., those now achieved by schools in the top quarter on improvement rates).
- In evaluating and recommending interventions in and changes to schools or districts, use both multiple sources of evidence (comprehensive indicators) and periodic reviews of schools and districts by qualified state teams.
- Allow a broad, flexible range of "turnaround" options. Use indicators and reviews to tailor change actions to schools' needs. Build improvement plans from elements demonstrated to be essential to school improvement—e.g., collaborative professional development, strong leadership, parent involvement, and rich and challenging curriculum—and allow schools and districts to determine how they will address these areas to help build their capacity for long-term improvement.
- Establish the principle of holding schools and districts accountable through monitoring and appropriate public reporting to ensure consistent, successful efforts to fulfill improvement plans.
- Set the percentage of schools required to engage in turnaround activities based on standards for intervention and federal appropriation levels, rather than set percentages regardless of funding.
- Assist states and districts in developing and implementing sound and fair schoolwide evaluation policies aimed at schoolwide improvement, rather than the Blueprint model, which largely shifts test-based accountability from schools to educators. Educator evaluation programs should include evidence of student learning and other measures of educator competency, but the federal government should not mandate the inclusion of scores from large-scale tests.

Further discussion of a few of these recommendations:

FairTest also recommends consideration of school quality reviews (SQR) as a means to accomplish the ongoing school evaluations that FEA recommends regarding accountability and improvement. The SQR is the central tool for school evaluation in places such as England and New Zealand (see Rothstein, 2008; Ratner & Neill, 2009). Instead of test results, their systems focus on a comprehensive school review by a team of qualified professionals every 4-5 years. This leads to a report describing the school and recommending actions for improvement. Schools that need extra help would be reviewed more frequently. Schools that are reviewed would also provide extensive data about their resources, their processes, how they strive to improve, problems they are encountering, and so on.

This is usually envisioned as a formal process and would be controlled by the state. It may be that states would prefer a more informal process. For example, in England a network, Raising Achievement, Transforming Learning (RATL) pairs schools so they can help each other (Hargreaves and Shirley, 2009). These have been shown to produce improvement. Interestingly, it is not necessary to pair a good school with a weak school—even two weak schools collaborating seem to produce significant improvement. It seems to be the process of thinking and working together that spurs positive changes.

For a more formal evaluation system, the SQR can make a useful contribution by providing rich information beyond evidence of student learning. Schools are not only places of learning, they should be places where children are healthy and happy as well as challenged and supported to learn, in social, emotional and behavioral ways, as well as academically. SQRs, complemented by other sources of information, can provide information for evaluation and more importantly for improvement.

FEA also has developed a proposal for turnarounds based on “common elements” identified by research as key to successful schools and turnaround efforts. FEA recommends that this approach replace the four requirements in Race to the Top and the Department’s NCLB waivers. At a minimum, should Congress retain those four options, then “common elements” should be an additional option. Unlike the Administration’s approach, “common elements” are based on research and evidence from practice. (See Forum on Educational Accountability, 2010; Ratner & Neill, 2010.)

In conclusion

In a period of strong and growing resistance to tests, tests that are educationally inadequate and whose use is failing to genuinely improve America’s schools, as will be the case with the coming Common Core tests, it is imperative that Congress take steps to dismantle the educationally harmful test and punish system it has created.

But we do need to evaluate students, teachers, schools and systems. Schools and districts do need to give an accounting to their communities, the public and the state. The state will need at times to intervene to ensure local officials do their jobs well and schools do their best. And it is fundamentally important to provide educationally sound assistance to schools in need.

The procedures I have described can do that, and do it in ways that are educationally beneficial. FairTest—and FEA—propose a fundamental overhaul of federal law. This now seems beyond what Congress proposes to do. But we should dream big, our children deserve it. The current system does not work, nor will tinkering solves its dangerous inadequacies. Instead, Congress needs to move in a dramatically different direction. I hope this testimony will help you consider whether and how to do so.

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[Whereupon, at 12:26 p.m., the committee was adjourned.]

