

Even if we do not know about any of the waste or the alleged cronyism, here is the bottom line: 2½ years after the President signed the first stimulus, there are 1.7 million fewer jobs in this country. That is 1.7 million fewer jobs after borrowing and spending \$825 billion to create them. What more do we need to know than that? We have done that. We have gone down that road before. Shouldn't we try something different? How about we do what just about every job creator in America is telling us they need in order to create jobs? Tax reform. Loosening the grip of government regulations and free-trade agreements. That is how we will create a better environment for jobs in our country. It might mean the President doesn't get his tax hikes, but it would mean more jobs.

I know some people sometimes get attached to a single idea, and this President seems to have come into office with one big idea; that there is not a problem we have in this country that bigger government cannot solve. At a certain point, we have to take stock. We have to check the results and see how we are doing. I think it is pretty clear to most people what the results suggest. It is time to change course.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, how much time is remaining on the Democratic side?

The PRESIDING OFFICER. There is 18½ minutes remaining on the Democratic side.

Mr. DURBIN. I see several of my Republican colleagues, and I would like to ask unanimous consent that they be allowed to use their morning business time and our 18½ minutes remaining be preserved until after their speeches.

The PRESIDING OFFICER. Without objection, it is so ordered.

The senior Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, the Republican Senators have come to talk about education, No Child Left Behind, and I ask consent to engage in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. The Senators who will be here will be Senator ISAKSON, Senator BURR, Senator KIRK, and Senator ENZI. Will you let each of us know when we have consumed 5 minutes?

The PRESIDING OFFICER. The Chair will do so.

REFORM OF NO CHILD LEFT BEHIND

Mr. ALEXANDER. Mr. President, in the world in which we live, every American's job is on the line. As every American knows, better schools mean better jobs. Schools and jobs are alike in this sense: Washington cannot cre-

ate good jobs and Washington cannot create better schools, but Washington can create an environment in which others can create good jobs and environments in which teachers and principals and students and communities can create better schools, along with their parents.

A good place for Washington to start is with the five pieces of legislation we introduced today to fix the law known as No Child Left Behind. No Child Left Behind was a bipartisan effort in 2001 and 2002. President Bush and Democratic Members of the Senate and the House and Republicans as well agreed on it. By the 2013-14 school year, the law said that all 50 million students in nearly 100,000 public schools would be proficient in reading and math. There would be State standards, tests to measure performance against those standards, and requirements that the more than 3,000 teachers in America be highly qualified. There would be school report cards, disaggregated by subgroups of students, and schools that failed to make what was called adequate yearly progress would receive Federal sanctions. There would also be more choices of schools and charter schools for parents.

During the last 9 years, Federal funding for elementary and secondary education programs has increased by 73 percent, while student achievement has stayed relatively flat. Our legislative proposals would set a new, realistic, but challenging goal to help all students succeed and to end the Federal mandates which have Washington, DC deciding which students and teachers are succeeding and failing.

Our legislation would require States to have high standards that promote college and career readiness for all students and would continue the reporting of student progress so parents, teachers, and communities can know whether students are succeeding. It would encourage teacher and principal evaluation systems, relating especially to student achievement, and would replace the Federal definition of a highly qualified teacher. It would consolidate Federal programs and make it easier to transfer funds within local school districts. It would expand charter schools and give parents more choices. For the bottom 5 percent of schools, the Federal Government would help States turn them around. Much has happened during the last 10 years, and it is time to transfer back to States and to local governments the responsibility for deciding whether schools and teachers are succeeding or failing.

Since 2002, 44 States have adopted common core academic standards. Two groups of States are developing common tests to see whether the students are meeting those standards, and more than 30 States are working together to develop common principles for holding schools and districts accountable for student achievement. Thanks to No Child Left Behind, we now have several years of school-by-school information

about student progress that puts the spotlight on success and puts the spotlight on where work needs to be done.

In addition, many States and school districts are finding ways to reward outstanding teaching and school leadership and to include student performance as a part of that evaluation. As common sense as that idea may seem, it was not until Tennessee created the Master Teacher Program in 1984 that one State paid one teacher one penny more for teaching well. All the sponsors of the five pieces of legislation we introduced today are Republicans. Many of the ideas were either first advanced or have been worked out in concert with President Obama and with his excellent Education Secretary, Arne Duncan, as well as with Democratic Senators here and with Republican and Democratic colleagues in the House. In other words, we have made a lot of progress.

In the Senate, my judgment is that we are not far from agreement on a bipartisan bill, with most of the differences of opinion centering around what I would characterize as provisions that would create a national school board. We on the Republican side want to continue to work with our colleagues across the aisle and in the House. Our purpose in offering our ideas is to spur progress so we can enact a bill before the end of the year. The House of Representatives has passed its first bill to fix No Child Left Behind with bipartisan support. It would expand charter schools and is similar to the charter school bill Senator KIRK will introduce today. The President has met with us and given us his blueprint. The Secretary has warned us that, under existing law, most schools will be labeled as failing within a few years, and he is proposing to use his waiver authority to avoid that. The Secretary clearly has that waiver authority under the law, and I support his use of it in appropriate ways.

I am introducing legislation today to make it clear that the appropriate use means using the waiver to accept or reject State proposals based upon whether those proposals enhance student achievement and not to impose a new set of Washington mandates. But the best way for us to relieve the Secretary of the need to consider waivers and to help American children learn what they need to know is for us to work together in the Senate and in the House to fix No Child Left Behind.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks, and following the remarks of all the Senators, the following documents: Why we need to fix No Child Left Behind; how the environment has changed in the past 10 years; a summary of the nine proposals Secretary Duncan, Senator HARKIN, Senator ENZI, and others of us have worked on; a summary of the legislation introduced by Senator ISAKSON to fix title I; a summary of the legislation that I am

a principal sponsor of to fix title II; a summary of Senator BURR's proposal on titles II and IV; a summary of Senator KIRK's legislation on charter schools; and a summary of the legislation that I am also introducing on waivers.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

The PRESIDING OFFICER. The Senator's 2 minutes has expired.

Mr. ALEXANDER. Mr. President, Senator ISAKSON of Georgia has a distinguished career in education, not just as a leader in the Senate of Georgia, but as chairman of the Georgia School Board, appointed by Gov. Zell Miller, and as a former Member of the House of Representatives who was a key author of No Child Left Behind when it was enacted in 2002.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank the great Senator from the State of Tennessee for his recognition and whose own record in education is quite distinguished, including his tenure as a university president at the University of Tennessee, to his leadership on the Health, Education, Labor, and Pensions Committee, and, obviously, his service as Secretary of Education for the United States of America.

I appreciate the reference to 10 years ago when we wrote No Child Left Behind. There were nine of us, five Republicans and four Democrats, who locked ourselves up in the House Education Committee offices for about 6 weeks writing the document that became the law of the land, and it has served the country well for 20 years.

A title I provision of that is the free and reduced lunch provision, which is the main title of the Elementary and Secondary Education Act, and it is the main title that delivers educational entitlements, requirements, and regulations under No Child Left Behind.

The reason I am the principal sponsor of the removal—not the removal but the reform—of title I is because No Child Left Behind requirements under title 1 have worked and it is time to go to the next step. I wish to be very specific about saying it has worked.

As everyone knows, adequate yearly progress, or AYP, is the goal of title I, to see to it that every child every year is making adequate yearly progress toward improvements in reading comprehension and mathematics. When we started AYP, we knew when we wrote it that if the bill worked, it would become harder and harder and harder to reach AYP because the baseline was being built every single year.

The reason Senator ALEXANDER talked about so many schools falling into "needs improvement" is because we pushed the achievement level so high that meeting AYP on a continuing and improving basis is difficult. So it is time to terminate AYP as a requirement of the bill, but it is not time to throw out the system that made it work.

Disaggregation of students, first of all, was critically important. Public education in the United States prior to the No Child Left Behind law exhibited school systems and schools that basically hid behind mean average scores or an ITBS mean average score. This comparison of ITBS test scores to other States in the Nation is an aggregation of all students' performance and an averaging of that performance. It took the eye off the ball and the individual student.

So what No Child Left Behind says is, test every student and disaggregate them by sex, race, disability, by non-English-speaking, and rate each disaggregated group by AYP. If only one school fails to make adequate progress, then the whole school goes to "needs improvement." So we have a lot of schools labeled "needs improvement" while making the best improvement they have ever made. So it is time to end AYP, but it is not time to end disaggregation or the test scores.

The greatest accountability measure—and all of us as politicians know it—is transparency. This bill will require the transparency of all the test scores of each individual child and the transparency of each individual in each individual disaggregated group to ensure we continue to know how our kids are doing and compare them on a year-to-year basis. But we do away with "needs improvement" because it has served its purpose.

Now, on disaggregated groups there is one other thing the title I change does that I want to particularly emphasize on the Senate floor today. The biggest disaggregated group in terms of causing schools or systems to fall under "needs improvement" is those special needs children considered under IDEA or the Individuals With Disabilities Act. They are all individuals who have an individual disability that affects their academic achievement or their ability to learn.

When we passed IDEA in 1978, if I remember correctly, through Public Law 94-142, we dictated that we would give special emphasis and training to those special needs kids and try and identify their special needs and meet them within the public education system. When No Child Left Behind disaggregated them into a single group and tested them, we tested 98 percent of them with the same paper and pencil test. These are kids with a plethora of disabilities that one single test could not possibly meet. We gave a 2 percent cognitive waiver, disability waiver, so they could have an alternative assessment for up to 2 percent of the students, but 98 percent had to take the same test.

This reform of the IDEA portion of title I of No Child Left Behind simply says this: Every year, at the beginning of the school year, when the parent and the teacher and the school meet to put out the individual education plan, the IEP for that student, the parent, the teacher, and the school will determine

what the assessment vehicle is that best measures the assessment of that child—not a single, one-size-fits-all, paper-and-pencil test. That is going to ensure that IDEA students get the individual attention they deserve and the measurement against the individual disabilities they have that is appropriate as approved by their parents, their teacher, and their school, and it will make a remarkable difference for IDEA kids.

I am very proud of that provision and the flexibility it gives to the system to assess appropriately rather than force a one-size-fits-all test against 98 percent of our children with disabilities.

So to repeat what I said at the beginning—

The PRESIDING OFFICER. The Senator's 5 minutes has expired.

Mr. ISAKSON. It is a good time for me to repeat what I said at the beginning. I am proud to be building on the success of No Child Left Behind, and I am proud that Senator ALEXANDER has taken leadership on this committee to move forward on this reauthorization of IDEA and No Child Left Behind.

Mr. ALEXANDER. Mr. President, I thank Senator ISAKSON for his leadership in education in the State of Georgia and on this bill.

Senator RICHARD BURR of North Carolina has focused on elementary and secondary education for many years, especially on making it easier for local school districts to use the Federal dollars that are made available and on finding ways to encourage student and teacher evaluation. He is introducing a bill, which I am proud to cosponsor, amending titles II and IV of the Elementary and Secondary Education Act.

Mr. BURR. Mr. President, I thank the Senator from a State once owned by North Carolina, and a distinguished Member of this August body.

What are we doing here today? We are responding to what every CEO has said and every local leader has said and every parent has said: If you want a future in this country, you have to fix K-12 education. We have to make sure every child in this country has the foundational knowledge to meet whatever challenge they are faced with in a lifetime.

Washington is good at coming up with new programs and, to be honest, when we look back over the history of the last couple decades, every year we come up with a new program to fix K-12. What is obvious? We never fix it. But what we hear loudly and clearly from people who are on the front lines—those elected and those non-elected and those who are charged with educating our children—is give them flexibility. We can't design one program in Washington that works in Raleigh, NC, and works in Knoxville, TN, much less in rural North Carolina or rural Tennessee.

What I propose is very simple: that 59 pots of money, 59 different programs, be merged into two pots, and that

those local school systems have the flexibility and the capability to choose what they are going to use that money for to educate our kids. What a novel thought, that we would take the people on the front line—for the first time, I am suggesting that Washington give up the power we have to say: You do it our way or you will not get the money.

We are faced in the future with some degree of austerity. We are not going to have the money to throw it out and see what works. But that is Washington's typical response. Now it is time to begin to focus not on that we think works but what the teachers and the principals and the elected officials locally, but more importantly, the community decides works.

Senator ISAKSON alluded to a number of factors we use as to how we gauge success or failure. I will tell my colleagues the gauge we ought to have: What does a parent think? The likelihood is that by the time we get those standard tests, it is probably too late to fix it for their kids, but it may fix it for somebody else's.

What we are attempting to do today as we reform K-12 education through these bills is to lay the gauntlet down and say that no child will be exposed to an inferior education in the future because we are going to empower—not Washington—we are going to empower the local community.

Again, what I am simply doing in the Empowering Local Education Decision Making Act of 2011 is to take 59 programs under elementary and secondary education and put them into flexible foundational block grants. Some might say the State is going to steal money off it. No. We limit it to 1.5 percent to administer the program. It has a formula that satisfies exactly how this money is going to be distributed so it is done fairly.

Where we don't exercise Washington authority is we don't tell the local school system: Here is the only way you can use it. We say to the local school system: Here are 59 programs. You pick the ones that best fit what your needs are in your community. In addition to that, those two pots of money we have created are 100 percent transferable. If you feel that one pot doesn't meet the need which might be in your area, then you can shift all of that money over to the other pot. So if you believe that focusing on teacher quality is better versus students, you have the flexibility to do it without asking us for a waiver. In addition to that, if title I is where you need additional funds, both pots of money are transitional to title I for additional support for at-risk kids.

That is something we have never done. Just this week I received a letter from the Council of Great City Schools, a coalition, by the way, of our Nation's largest central school districts. In their letter they wrote this:

Both Title II and Title IV of the Elementary Secondary Education Act have become unwieldy and unfocused over the past au-

thorizations, and are in substantial need of rewriting. Your effort to simplify and clarify the purposes and flexibilities within these key programs is noteworthy.

With budgetary constraints faced at all levels of government, streamlining federal requirements, providing predictable and consolidated formula-based funding streams to local school districts, and ensuring local district decision making in the use of funds under your bill is particularly welcome.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BURR. I urge my colleagues to read these bills. Look at your school systems. Make a decision that is right for the future of every child in this country and support our reauthorization efforts.

I thank the Senator from Tennessee. Mr. ALEXANDER. Mr. President, I thank the Senator from North Carolina, Mr. BURR, for his insight and leadership on how we help create an environment in which teachers, parents, principals, and community leaders can make schools better, rather than through orders sent from Washington telling them how to do that.

Senator KIRK from Illinois will be here in a few minutes to introduce the charter school bill, which is the same bill that passed the House of Representatives yesterday with 365 votes in a bipartisan way.

As I mentioned at the outset, our purpose is to get things moving. We think there ought to be a law before the end of the year that fixes No Child Left Behind. Toward that end, the senior member of the Senate Health, Education, Labor and Pensions Committee, Senator ENZI of Wyoming, began to meet quietly more than a year ago with the chairman of the committee, Senator HARKIN, and with Secretary Duncan and, on some occasions, with the President. They were able to come to a good deal of agreement about fixing No Child Left Behind, and then, on the nine areas we would focus on, which I put into the RECORD a few minutes ago.

Senator ENZI is here now, and I thought he might want to speak about that effort. While all of us who are introducing these bills today are Republicans, we are only doing this as a way of moving the process forward and are hoping to attract Democratic support so we can end up with a bipartisan result. I believe, at the same time, that Senator ENZI is continuing to meet with Senator HARKIN, the chairman of the committee, with the hope that we will achieve that bipartisan result.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I wish to thank the Senators who have spoken for all of their efforts and thought. A lot of times people think that what is being discussed on the floor is the only thing that is happening in the Congress. There are things happening in the background that are probably achieving more than the debates that happen here. A lot of times what people get to see here is the blood on the floor

that results in nothing. But everyone recognizes the importance of education and recognizes that there has been a significant effort made since 1965 with K-12 education. It has been renewed several times. In every single instance, it has been renewed in a very bipartisan way. We want that to continue to happen. The value of the Senate and the House is to have a lot of different opinions on how something can be done and then to bring those together to form something usable in whatever area we are working on.

I cannot thank Senators ALEXANDER, ISAKSON, BURR, and KIRK enough for the work they have done in this area. It does help us to focus, and I am working with Senator HARKIN to try to come up with a bipartisan bill. I think we have been making good progress. I have used the nine core components of these bills that Senator ALEXANDER mentioned as reasons for stepping back and taking a look at what we are doing to make sure the States can have as much of a role as possible, but the local people have an even greater role in what is happening in education. That is where we are trying to keep the focus, and this has been very helpful in my discussions with Senator HARKIN, to make sure we stay on track with those things.

Senator ALEXANDER mentioned the nine things. Secretary Duncan traveled through most of the United States holding listening sessions to find out what kind of problems people had. He agreed that the nine things we had on this list were the problems with No Child Left Behind that needed to be fixed. Senator HARKIN looked at that list and agreed in the same way.

We have come up with some solutions, and those need to be put in a bill, and that bill needs to be passed this year. Next year we get into Presidential elections. I cannot see where that is going to make things more bipartisan or help education. There are a number of things that No Child Left Behind did. One is the disaggregation, which did show some problems across the country, where kids were being left behind. A lot of times when we focus on education, we focus on the State and on the school district. Once in a while we focus on the school. But what we have been trying to do is get the focus on the kid to make sure our children are learning what they need to know to be able to survive. That is one of the places we will be able to greatly improve as we move on in this effort.

One of the surprises to everybody will probably be to find out that the Federal Government only requires one Federal test. You always hear about all the testing the kids have to take across the Nation. A lot of that is locally imposed, but they are tests they think are necessary. But the Federal Government says you need to have one at the end of the year, and that is what we have concentrated on with the disaggregation.

There have been a lot of surprises for people as they actually take a look at

what that rather voluminous bill has in it. I think we are moving to a point where we should be able to get something done and get something done relatively quickly. Again, it will be because of the work of these people who have put together some bills to bring attention to some very specific parts that need improvement. I thank them for doing that.

I yield the floor.

Mr. ALEXANDER. Mr. President, I thank Senator ENZI and I thank him for his leadership and the constructive way he and Senator HARKIN are working together.

I should emphasize, as I said in my remarks, the respect all of us have for Secretary Duncan. He has done a terrific job staying in touch with us without regard to political party, and the President and he have stuck their necks out on some issues that are not entirely popular with their Democratic constituency. We respect that as well.

As I said, our effort is to take these ideas and recognize we are in the ninth year of a bill that was supposed to be fixed after 5 years, and to get it done before the end of the year.

One example of what we could do the Senator from Illinois will talk about. He has been the leader on expanding opportunities for parents and communities to use charter schools. The House of Representatives acted on that bill yesterday.

Senator KIRK.

Mr. KIRK. Mr. President, joining as part of this effort, I think we need to reform No Child Left Behind and that we should focus on making sure we preserve disclosure and the right of parents to know how their schools are doing, without destroying the school, without having an AYP measurement that somehow says most, if not all, schools are failing.

As part of this effort, I am introducing the Empowering Parents Through Quality Charter Schools Act to emphasize charter schools and to make sure their opportunities are more widely available to parents and children, especially in inner cities.

This is a chart I have in the Chamber that shows the top 10 nonselective—meaning they take everyone—public high schools in Chicago. They are ranked in order of ACT scores. You can see from the chart, Lincoln Park High School is No. 1, not a charter school. But in the top 10, 8 of them are charter schools, and these are in some of the toughest neighborhoods in Chicago. That is why this is one of the No. 1 issues being discussed right now in Chicago. Mayor Emanuel is doing an outstanding job of leading a reform effort to make charter schools more available, to expand the day of instruction, and to expand the number of days in the school year because right now Chicagoland suffers from some of the lowest numbers of days of instruction in the country. Right now, for example, in Chicagoland, only about 10 percent of kids have the opportunity to go to a

charter school. I think we should set a goal of at least 50 percent having that opportunity.

Recently, I was able to visit the Noble Street School, also another school which was represented about 99 percent African American, with overwhelmingly free and reduced-lunch kids. This school is outperforming all of its peers, despite not having any selection criteria, and being able to take kids from all walks of life, including special-needs kids.

We are seeing something working here. Mayor Emanuel sees it. I see it. That is why in the House of Representatives, when the companion legislation was considered, 365 Representatives, including well over 100 Democratic representatives, supported our charter school bill. We are introducing the companion bill over here. I am hoping for equal amounts of bipartisan support because what we see is working in Chicago can work elsewhere.

The charter school movement has generally focused on inner cities. But I want to make sure charter schools are offered to kids in Peoria, in Springfield, in Rockford, and in Metro East. So the kind of success we are seeing here—8 out of 10 top performers being charter schools for nonselective public high schools—is something I think we should have offered here. That is why I applaud our ranking member and especially Senator ALEXANDER for putting together this group of bills to offer higher education performance for America's kids, especially in the tough global political environment they will be in.

With that, I yield back to our leader on this joint effort and the ranking minority member and thank them for the opportunity to speak.

Mr. ALEXANDER. Mr. President, how much time is remaining?

The PRESIDING OFFICER. Fifteen seconds.

Mr. ALEXANDER. Thank you, Mr. President. Every American knows that every American's job is on the line. Every American knows that better schools mean better jobs. We are ready to work with the President and with our Democratic colleagues to create an environment for better schools in this country by fixing No Child Left Behind.

Mr. President, I yield the floor.

EXHIBIT 1

ELEMENTARY AND SECONDARY EDUCATION: HOW HAS THE ENVIRONMENT CHANGED OVER THE PAST 10 YEARS?

1. Standards: All states have content standards in place for reading/language arts and mathematics. 44 States are working together in a Common Core state-led effort to improve their standards.

2. Assessments: All states are conducting annual assessments in reading/language arts and mathematics that are aligned to state standards and are publicly reporting their results. Two groups of states are working together to develop common assessments aligned to the Common Core standards.

3. Data: Disaggregation of data by states and districts provides greater information on

how schools and students are performing by race, income, English proficiency and disability. This makes it easier to identify the achievement gaps and target efforts to address problems.

4. Auditing: All states are participating in the National Assessment of Educational Progress, NAEP/Nation's Report Card, which serves as an audit of the quality of state standards and assessments.

5. Robust Awareness: Because of data, parents, teachers, principals, legislators, and Governors are paying more attention to education issues, and thus holding their districts, schools, and teachers accountable.

6. Charter School Growth: The number of students enrolled in public charter schools has more than tripled to 1.4 million and the percentage of all public schools that were charter schools has increased from 2% to 5%, comprising 4,700 schools nationwide.

7. School Choice: Not much, but some growth in school choice (i.e. Milwaukee, Florida).

WHAT THE NATION HAS LEARNED FROM NO CHILD LEFT BEHIND: THE GOOD AND THE BAD

THE GOOD

Disaggregated Reporting: The disaggregation of data by subgroups has allowed us to see how all students are performing.

Annual Assessments: Provides basic information on the performance of students in mathematics, English/Language Arts, and Science.

Public Reporting: Increased public reporting of state, district, and school performance has provided the public with better information on the quality of local schools.

Parental Involvement: Provides greater information to improve parental involvement in school-level decisions.

THE BAD

Goal of 100% Proficiency by 2014: Sets unrealistic and unproductive mandate that all students are proficient by 2014.

Adequate Yearly Progress (AYP): Rigid federal mandates of how to achieve proficiency and tells states from Washington which schools are succeeding and which are failing.

Highly-Qualified Teachers (HQT): Onerous federal definition of what constitutes a qualified teacher.

Unfunded Mandates: Federal mandates far exceed the 9-10% federal investment in education.

Ineffective spending: Dedicates billions in limited federal dollars to small and ineffective programs that don't have a record of success.

WHY WE NEED TO FIX NO CHILD LEFT BEHIND
100% proficiency by 2014 will not happen.

Adequate Yearly Progress with its prescriptive 64-part formula will result in every school getting a failing grade.

Teachers focus too much on testing and no one understands what the results mean.

Sanctions impact rural schools more.

Highly Qualified Teacher requirements create unusual restrictions particularly with respect to rural, special education, and English as a second language teachers.

State and local flexibility is limited and there are duplicative and overlapping programs.

Allowable uses of federal funds are too limited and restrictive.

One size fits all mentality of Washington's "good" ideas. We need local solutions.

Parents are too often left out of the equation.

HOW TO FIX "NO CHILD LEFT BEHIND"

1. Set a new, realistic but challenging goal to help all students succeed.

2. Free 95% of schools (91,000 schools) from the federal requirement of conforming to a

federally-defined adequate yearly progress mandate.

3. The federal government will help states fix the bottom 5% of their schools (4,500 schools).

4. Require states to have high standards that promote college and career readiness for all students.

5. Encourage the creation of state and school district teacher and principal evaluation systems to replace federal highly qualified teacher requirements.

6. Continue necessary reporting so that parents, teachers, schools, legislators, and communities receive good information on schools.

7. Provide school districts with the ability to transfer funds more efficiently among the five largest federal education programs.

8. Consolidate and streamline more than 80 programs within NCLB and eliminate those that are duplicative and unnecessary.

9. Empower parents.

HOW TO FIX "NO CHILD LEFT BEHIND"

1. Set a new, realistic but challenging goal to help all students succeed. Establish a national goal that all students will be 'college and career ready' by high school graduation. States will use annual reading and mathematics assessments, including student growth, to measure progress toward the goal.

2. Free 95% of schools (91,000 schools) from the federal requirement of conforming to a federally-defined adequate yearly progress mandate. 95% of schools will no longer face federal sanctions. These schools will continue annual reading and mathematics assessments and public reporting requirements. The emphasis will be on helping states to catch these successful schools and struggling schools doing things right, instead of announcing their failure.

3. The federal government will help states fix the bottom 5% of their schools (4,500 schools). States will identify, for federal accountability purposes, the bottom 5% of schools that receive Title I funding. These schools will be required to choose an intervention model from a defined list of options. The models will be broad and include options for rural schools and provide flexibility for state innovation.

4. Require states to have high standards that promote college and career readiness for all students. Require states to adopt 'college and career ready' standards that are aligned with higher education, career and technical education standards, and workforce skills within the state. There will be no preference or prohibition for states to adopt a specific set of standards, including the Common Core standards.

5. Encourage the creation of state and school district teacher and principal evaluation systems to replace federal highly qualified teacher requirements. Encourage states and school districts to develop teacher and principal evaluation systems to identify high performing teachers and principals and eliminate the federal "highly qualified teacher" definition. Innovative teacher and principal pay programs will continue to be supported through the Teacher Incentive Fund program.

6. Continue necessary reporting so that parents, teachers, schools, legislators, and communities receive good information on schools. States, school districts and schools will continue to report information regarding student achievement on annual reading, mathematics and science assessments. Other reported information will include high school graduation rates and teacher certification. All of this information will continue to be disaggregated by race and ethnicity, socio-economic status, disability status, English proficiency, gender, and migrant sta-

tus to maintain public accountability for all student subgroups. Unnecessary and irrelevant federal reporting requirements will be eliminated.

7. Provide school districts with the ability to transfer funds more efficiently among the five largest federal education programs. School districts will have more flexibility to meet their local needs by transferring funds among the 5 major federal education programs. This will allow school districts to better target federal resources to improve student academic achievement.

8. Consolidate and streamline almost 60 programs within NCLB to allow State and local leaders to meet student needs in their states and districts. Consolidate the programs authorized in NCLB into flexible funding streams that allow States and local school districts to fund locally-determined programs that meet the unique and specific needs of the students in their States and districts.

9. Empower parents. Parents will receive meaningful information on the performance of their children's schools so they can be more effectively involved in their children's education. The law will continue to support the expansion of high-quality charter schools. For those parents whose children attend the state-identified bottom 5% of schools, they will have the option of public school choice to transfer to another public school.

THE ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS ACT OF 2011

EMPOWERING STATE AND LOCAL EDUCATION LEADERS TO IMPROVE PUBLIC SCHOOLS

Establishes College & Career Readiness Goal: States are asked to develop and maintain academic content standards and assessments that will prepare students for college and career-readiness without interference by the Federal government about whether to work alone or in partnership with other states.

Empowers State and local leaders to develop their own accountability systems: Instead of a "One Size Fits All" Washington approach, states will develop their own systems designed to ensure that all students graduate from high school college- and career-ready, without Federal interference or regulations on state standards, assessments, growth models for accountability, or how to develop teacher and principal evaluation systems that are based on improving student achievement.

Eliminates Adequate Yearly Progress (AYP): The Federal government is taken out of the business of determining if local schools and districts are succeeding or failing in educating their students by ending the Washington-based AYP system of how to identify schools.

Asks States to Identify the Bottom 5% of Lowest Performing Schools: States will be required to identify the bottom 5% of Title I receiving elementary and secondary schools, using their state-developed accountability system, and local school districts will be required to implement a school improvement strategy for their lowest performing schools. School districts will continue to be required to provide public school choice to students in these lowest performing schools.

Eliminates "Highly Qualified Teacher" Requirement: States will be freed from the onerous "Highly Qualified Teacher" requirements and empowered to maintain and improve their own teacher and principal licensure and certification requirements.

Maintains Public Reporting Requirements: States and local school districts will continue to report disaggregated data on student achievement, while requiring annual report cards at the school, school district and State level.

Reduces Paperwork & Federal Intrusion: The bill dramatically simplifies the Title I State plans that are submitted to the Secretary to reduce unnecessary paperwork and frees states from Washington interference.

THE TEACHER AND PRINCIPAL IMPROVEMENT ACT OF 2011

PREPARING, TRAINING, AND RECRUITING EFFECTIVE TEACHERS AND PRINCIPALS TO IMPROVE STUDENT ACHIEVEMENT

Addressing State and local needs for teacher and principal training: States and local school districts will conduct a needs assessment to determine what professional development teachers and principals need to improve student achievement and then target resources to meet those needs.

Supports the State-led Development of Teacher/Principal Evaluation Systems: States and local school districts are empowered to develop their own teacher and principal evaluation systems that are based significantly on student academic achievement. The Federal Government would be prohibited from regulating or controlling those state and local evaluation systems, allowing local innovation and leadership to flourish.

Maintains Strong Reporting Requirements: States and local school districts will provide important data on the quality and effectiveness of teachers and principals, as well as the results of teacher and principal evaluation systems if developed, to inform parents and the community about who is teaching in the classroom and leading our schools.

Teacher Incentive Fund: Authorizes the Teacher Incentive Fund to provide competitive grants for states, districts, and partnerships with private-sector organizations to implement, improve, or expand comprehensive performance-based compensation systems for teachers and principals, while leaving broad latitude in how states develop such systems, as well as prioritizing high-need schools.

Encourages Innovative Private-Sector Involvement: Authorizes competitive grants for national non-profit organizations, such as Teach for America and New Leaders for New Schools, to help states and local school districts that have a demonstrated record with teacher or principal preparation, professional development activities, and programs.

Reduces Paperwork and Federal Intrusion: The bill dramatically simplifies the Title II State plans that are submitted to the Secretary to reduce unnecessary paperwork and frees states from Washington interference.

EMPOWERING LOCAL EDUCATIONAL DECISION MAKING ACT OF 2011

State and local school districts, not Washington, D.C., are the best makers of educational decisions. Unfortunately, in the last few decades, the federal government, believing it knew best, has exploded the number of small, categorical education programs in K-12. Almost every year, yet another new program has been created in pursuit of the newest educational fad. And with each of these new programs, States and local school districts have lost flexible federal funding sources that allow them and not the latest fad to determine how best to allocate federal resources to meet the unique and specific needs of the individual students in their States and districts.

The Empowering Local Educational Decision Making Act of 2011 streamlines 59 programs into 2 flexible foundational block grants. Rather than Washington and the federal government determining funding priorities for States and local school districts, the Empowering Local Educational Decision Making Act puts locals in charge by allowing them the flexibility to fund locally-determined programs and initiatives that meet

the varied and unique needs of individual States and localities.

FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING

Consolidates 34 programs into ONE flexible, formula-driven Fund for the Improvement of Teaching and Learning to fund locally-determined needs and initiatives related to—

Increasing the capacity of local school districts, schools, teachers, and principals to provide a well-rounded and complete education for all students.

Increasing the number of teachers and principals who are effective in increasing student academic achievement.

Ensuring that low-income students are served by effective teachers and principals and have access to a high-quality instructional program in the core academic subjects.

SAFE AND HEALTHY STUDENTS BLOCK GRANT

Consolidates 25 programs into ONE flexible, formula-driven Safe and Healthy Students Block Grant to fund locally-determined needs and initiatives for improving students' safety, health, and well-being during and after the school day by—

Increasing the capacity of local school districts, schools, and local communities to create safe, healthy, supportive, and drug-free environments.

Carrying out programs designed to improve school safety and promote students' physical and mental health well-being, healthy eating and nutrition, and physical fitness.

Preventing and reducing substance abuse, school violence, and bullying.

Strengthening parent and community engagement to ensure a healthy, safe, and supportive school environment.

ENHANCED FLEXIBILITY THROUGH FUNDING TRANSFERABILITY

To provide additional funding flexibility to State and local school districts, under the Empowering Local Educational Decision Making Act of 2011 districts will be able to transfer up to 100% of their allocations under the Fund for the Improvement of Teaching and Learning and the Safe and Healthy Students Block Grant between the two programs or into Title I, Part A.

EMPOWERING PARENTS THROUGH QUALITY CHARTER SCHOOLS ACT 2011

SENATOR KIRK CHARTER SCHOOL BILL

This bill will modernize the charter school program by encouraging the expansion of high-quality charter schools and allowing charter school management organizations to receive assistance directly from the federal government.

Modernizes the Charter School Program to address present realities for public school choice, by incentivizing expansion and replication of successful charter models, providing support for authorizers, and enhanced opportunities for facilities financing.

Encourages states to support the development and expansion of charter schools.

Streamlines federal Charter School Program funding to reduce administrative burdens and improves funding opportunities for the replication of successful charter models and facilities assistance.

Allows proven, high-quality charter school management organizations to apply directly to the federal government, as well as local education agencies, deleting a layer of bureaucracy with the State government.

Facilitates the establishment of high-quality charter schools and further encourage choice, innovation and excellence in education.

Supports an evaluation of schools' impact on students, families, and communities,

while also encouraging sharing best practices between charters and traditional public schools.

THE STATE INNOVATION PILOT ACT OF 2011

The bill clarifies waiver authority that is currently in the Elementary and Secondary Education Act. The clarified waiver provision authorizes State educational agencies and local school districts to submit a request to the Secretary of Education to waive any statutory or regulatory requirement of the law.

State and local leadership: The bill improves the waiver authority currently in law by clarifying that the waiver process is intended to be led by state and local requests, not Washington mandates.

Deference to state and local judgment: If the Secretary chooses not to immediately approve a waiver request, the bill directs the Secretary to develop a peer review process that defers to state and local judgment on waiver requests.

Transparency: The bill ensures that the peer review process will be open and transparent so that it is clear what states and local school districts are asking to waive and what peer reviewers think about those waivers.

Prohibiting additional regulations: The bill prohibits the Secretary from imposing by regulation any additional requirements to waiver requests not authorized by Congress.

The bill encourages State and local education leadership in developing and implementing innovative strategies in:

College and career ready academic content and achievement standards for all public elementary and secondary school students;

High-quality academic assessments that are aligned with and are designed to measure the performance of local educational agencies and schools in meeting those standards; Accountability systems that are based on those college and career ready standards, as well as other academic indicators related to student achievement; and

Programs to improve principal and teacher quality and effectiveness.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KIRK. Mr. President, I wish to speak briefly on the subject of our relations with Pakistan.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PAKISTAN

Mr. KIRK. Mr. President, earlier this week, I gave a talk based on my service in Afghanistan as a reservist, about the growing threat of a new group to our forces in Afghanistan, ISAF, and the Afghan Government. It is not al-Qaida, which is armed and dangerous, but a shadow of its former shadow. It is not the Taliban, which is still extremely armed and dangerous. It is a new group called the Haqqani Network.

Recently, there was a high-profile attack on the Afghan Government and ISAF headquarters in Kabul, the cap-

ital of Afghanistan. The U.S. Ambassador 2 days ago then announced this was the work of the Haqqani Network. That is a very important factoid. Then yesterday, the Secretary of Defense also highlighted the Haqqani and pointed a direct finger at the Government of Pakistan and its intelligence service, the ISI.

It is all well known that while there are terrorists operating loosely in Pakistan who attack Afghans and Americans, it is the Haqqani Network that enjoys the official support and backing of the intelligence service of Pakistan.

Given this new information, and especially given the statement by the U.S. Ambassador in Afghanistan, Ryan Crocker, and now our Secretary of Defense, Leon Panetta, the Senate should engage in an agonizing reappraisal of military assistance to Pakistan. We should base our reappraisal on the statements of our own Ambassador in Kabul and the Secretary of Defense himself.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BLUNT. Mr. President, I want to talk about the disaster funding debate that is going on this week.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISASTER FUNDING

Mr. BLUNT. I appreciate the Presiding Officer's recognition.

Mr. President, this is a debate that has become the debate as part of the Burma Sanctions Act, which if we were debating the Burma Sanctions Act I would also be for Burma sanctions. But in the debate on disasters, Missouri has played an unfortunate leading role this year of all kinds.

We have had floods along the Mississippi River. We have had floods along the Missouri River. Joplin, MO—one of the bigger cities in our State—was hit by a tornado. We have evacuated a place in southeast Missouri, a floodway called Birds Point, where, for the first time since 1937, the Corps of Engineers decided that 130,000 or so acres had to be used as a floodway. All the crops that were already planted and up were, obviously, destroyed as part of that.

I was in that floodway for a couple of different days in August, and I will say, the resilience of Missouri farmers to get about 80 percent of that floodway back in soybeans means the economic loss, the crop loss, will not be what it was. But the recovery loss is substantial, as is the cost of rebuilding that levee back to the level it was before the Corps exercised the long plan that had not been used to take it down.

Tornadoes struck St. Louis at the airport and around Lambert Field, in communities around Lambert Field. Tornadoes in Joplin were significant. I mentioned on the floor of the Senate before that I live close to Joplin. It was