

National Association of Federal Education Program Administrators

www.nafepa.org



2011 NAFEPA POSITION PAPER Reauthorization of the Elementary & Secondary Education Act



Since the enactment of the *Elementary and Secondary Education Act of 1965 (ESEA)*, states and school districts have worked to improve instruction and learning for all students. NAFEPA members support the premise that each child receives a high quality, standards-based education, which results in increased academic achievement and a successful, productive life. To that end and through this paper, NAFEPA recommends specific changes to the ESEA. Members have prepared this position paper organized around four main topics:

- **IMPLEMENTING HIGH QUALITY STANDARDS AND ASSESSMENTS**
- **IMPROVING TEACHER EFFECTIVENESS AND EQUITABLE DISTRIBUTION**
- **IMPROVING COLLECTION AND USE OF DATA**
- **IMPROVING STRUGGLING SCHOOLS**

I. IMPLEMENTING HIGH QUALITY STANDARDS AND ASSESSMENTS

- A. Support the concept of voluntary common core standards focused on college and career readiness.
- B. Support the development of common national (or regional) assessments that do the following:
 - Incorporate a consistent definition of “proficiency,” allowing for multiple performance levels that identify progress toward the standard;
 - Are benchmarked against requirements for post-secondary education, viable careers, and international performance expectations;
 - Meet key criteria for quality, measure higher-order skills and knowledge, and can be equated to each other;
 - Include multiple indicators of college and career readiness such as completion of advanced coursework (courses required for college entrance, Advanced Placement, International Baccalaureate), career and technical education and industry certification, and graduation and drop-out rates.
- C. Require public reporting of the assessment results to serve as one form of accountability and provide a clearer, more uniform picture of how well children in different states are performing.
 - Abolish the unrealistic goal of 100% of students scoring proficient by 2014.
 - Replace Adequate Yearly Progress (AYP) with other valid and reliable definitions in order to identify schools, districts, and states needing improvement.



- Standardize definitions of “performance levels” across the nation.
- Establish accountability targets that are ambitious, that allow for growth, and that are realistically attainable.
- Accommodate a “growth model” for measuring student, school, district, and state improvement that allows for state flexibility, the annual monitoring of individual students and student groups in order to close the achievement gap.
- Provide accountability respectively for English Learners (Title III) and Students with Disabilities (IDEA).
- Allow states to grant exemptions from inclusion of English Learners’ test scores in the state content assessments in reading/language arts and mathematics during at least their first three years in U.S. schools, or until they have reached proficiency on the annual English language proficiency assessment—whichever comes first.
- Incorporate the provisions of IDEA 2004, allowing this legislation to take precedence on all matters associated with students with disabilities including student IEP requirements for student testing, parents’ ability to opt-out students, out-of-level assessments, and the variety of accommodations and modifications that may be provided.
- Establish provisions for alternative assessment and accountability systems for alternative schools, taking into account the highly mobile populations of these schools.
- Include provisions that respect a parent’s right to opt a student out of testing so that it does not impact a school’s participation rate and so that it is monitored and publicly reported.

II. IMPROVING TEACHER EFFECTIVENESS AND EQUITABLE DISTRIBUTION

- A. Develop a common definition of “effective teachers” and “effective principals” that includes multiple measures.
- B. Allow states to use their credentialing and licensing programs to determine “highly qualified” status for all teachers, including special education, English language learners, career technical education, alternative education, and middle school teachers who teach multiple subjects.
- C. Increase flexibility regarding the requirements for highly qualified teachers for small middle schools, small high schools, schools in rural areas and charter schools.
- D. Include a requirement for teachers in all schools that receive federal funds or services, including nonpublic schools and charters, to meet the requirements of “highly qualified” and “effective”.
- E. Allow the use of the High Objective Uniform State Standard of Evaluation (HOUSSE) to determine subject matter competence for new teachers hired to teach in alternative settings.
- F. Incorporate the principle of equitable distribution of “highly qualified” and “effective” teachers among high and low poverty schools.
- G. Incorporate provisions that require Institutions of Higher Education (IHEs) to report job placement and performance of graduates of teacher and administrator certification and programs. Reports should include the number and percentage of teacher graduates who
 - Obtain post-graduation employment in public, private, or charter schools in the appropriate area of certification
 - Receive satisfactory evaluations and are granted tenure in accordance with the state’s procedures that include student achievement data in alignment with revised teacher and principal quality provisions.



III. IMPROVING THE COLLECTION AND USE OF DATA

- A. Establish consistent criteria and develop data collection systems that provide the capacity to report “growth model” results over time at the state, district and school levels based on individual as well as cohort group growth.
- B. Include summative as well as formative assessment “growth data” at the district, school and classroom levels in order to inform instruction and drive appropriate instructional improvement.
- C. Revise accountability provisions to accurately identify the schools and LEAs most in need of improvement (the lowest five percent) and provide research based support for building capacity versus sanctions, incorporating the complexities of systems change.
- D. For example:
 - Conduct and analyze research on the actual time required to turn around schools and districts, and then use that research to guide timelines.
 - Increase the time period that a school or district is “on alert” from two to three years for both schools and districts
 - Implement a “demonstration of progress” phase in year three for schools or districts that show progress towards meeting their targets, versus the designation of “corrective action.”
 - Link identification to subgroup performance in the same category for a minimum of two consecutive years.
 - Use participation rates data to trigger a “Plan to Improve Participation” rather than School Improvement status.

IV. IMPROVING STRUGGLING SCHOOLS

- A. An allowance should be made for states and districts to decide the appropriate interventions and the order of interventions when a school is first identified for School Improvement.
- B. Eliminate the federally prescribed sanctions of school choice and supplemental educational services for Title I schools that arbitrarily decrease funds for all other Title I schools in a district, creating a cycle of reduced resources and unintended consequences
- C. Allow states the authority to grant waivers to districts that seek to retain a building principal when using a school reform model that requires principal dismissal. Such waivers would only be granted if the district provided data that indicates the school is moving on a course that will likely produce measurable student improvement in the near future.
- D. Include provisions that allow schools to work directly with the school community to select improvement strategies that meet the needs of students. These strategies would include, but not be limited to, the following:
 - Providing (new or expanded) extended school day or year (summer) programs
 - Providing specific staffing based on identified needs
 - Providing (new or expanded) preschool program options
 - Providing incentives for improved school performance
- E. Continue formula based Title I funding based on measures of poverty
- F. Continue formula based federal education programs linked to the targeted population (i.e.: language needs for Title III)

- G. Increase funding for IDEA and include a trajectory that achieves the 40 percent level originally authorized by Congress within three years.

Page 4



OTHER ITEM(S) FOR CONSIDERATION:

- It would benefit school districts and the students we serve to require that the U. S. Department of Education regularly consult with and meaningfully involve program administrators and other stakeholders in the development of rules and regulations affecting the implementation of federal education programs.

Legislative Committee:

Chair, Bob Harmon (Washington)
Laurine Domke (Alaska)
Chrisandra Richardson (Maryland)
Everett Mann (Ohio)
Tom Sipe (Oklahoma)
Jim Sheffer (Pennsylvania)
Elizabeth Pinkerton, NAFEPA Consultant
Rick Carder (California), NAFEPA President