



Joint Statement on Reauthorization of the No Child Left Behind Act (NCLB)

PREAMBLE

The reauthorization of No Child Left Behind Act (NCLB) of 2001 comes at a time of significant economic and global change, and it provides a critical opportunity for all levels of government to renew our commitment to high standards and partner together to strengthen education. In today's competitive economy, our education system must work even harder to prepare students to be successful in work, life, postsecondary education and in an ever and rapidly changing world. Every student must be prepared for lifelong learning. Much is at stake.

In this effort, NCLB provided an important framework for states, schools, and parents to focus on student achievement and ensure our nation's competitiveness. However, work remains to achieve America's education goals for every student.

RECOMMENDATIONS

Since the passage of NCLB, students were assisted by key provisions in the law, but states and schools also learned what areas needed additional modifications. Given this understanding, governors, chief state school officers, and state boards of education members are offering the following recommendations to improve the academic achievement of all students to ensure they are prepared for postsecondary education, work, and lifelong learning in the 21st century.

Enhance State Accountability Systems – State standards and assessments are the foundation of state accountability systems and inform the public about student performance. States support measuring students' and schools' yearly progress to provide a clear picture of performance and to diagnose areas of improvement. While refinement of measures is necessary to reflect real-world student progress, the goals of NCLB should be preserved to ensure that all students achieve their potential and that schools are held accountable for students' performance.

Recommendation

- Allow states to use growth models to complement existing status measures. All states should be able to utilize a state-determined valid, educationally meaningful accountability system – such as growth models – to measure individual student progress.
- Promote and support the use of multiple measures aligned to state standards to determine student progress as part of a graduated system of classifications for schools and districts that have been identified as in-need of improvement.

Reinforce State Assessment Decisions – States recognize the critical importance of annual assessment of students and the need for reliable, disaggregated data to understand student learning as well as the strengths and needs within an individual school. States also support the annual assessments of students in grades 3-8 and once in high school. States are currently working to develop assessments in additional core subjects and grades.

Recommendation

- States and localities must retain the authority to determine the appropriate testing instruments to assess student performance.
- Refrain from mandating additional federal testing requirements.

Create Rewards and Differentiate Consequences – Currently, states are required to implement a system of rewards and consequences for all public schools and districts, including a series of required, escalating sanctions for Title I schools and districts. NCLB requires the same classifications and interventions for Title I schools and districts regardless of whether they missed adequate yearly progress (AYP) by a little or a lot, and regardless of the plans and capacities in place or interim progress. The focus of NCLB should shift from consequences to supporting proactive state and local solutions, providing incentives, and celebrating success in the education system.

Recommendation

- Provide and dedicate sustained resources, technical assistance, and other supports for states to develop the capacity to assist schools.
- Broaden the array of options to allow states and local school districts to differentiate and determine consequences and target interventions to student populations who do not meet AYP.
- Allow states to raise achievement by first offering supplemental services prior to public school choice where applicable.
- Work with governors and chief state school officers to develop a bonus system for states and schools that hold high standards and raise student performance in a significant manner.

Address Special Populations – States are committed to raising achievement for all students, including students with disabilities and English language learners (ELL). Their inclusion should continue, but in a manner consistent with their individual education goals and high expectations.

Recommendation

- Work to close the achievement gap for students with disabilities through their inclusion in an accountability system, while also incorporating existing flexibilities into the law.
- For a limited group of students with disabilities, allow states to use alternate or modified assessments for students with disabilities, based on the student's individualized education program, to reflect student progress and achievement.
- Provide flexibility within AYP to ensure that ELL students are given adequate time to overcome language barriers and that ELL student gains are accurately reflected within school performance data, through the use of multiple measures or alternative assessments.

Support Teacher Quality – States recognize that high standards for the teaching profession are central to improving student achievement. States are working hard to ensure that every classroom can benefit from strong teaching by adopting different strategies to improve teacher and principal preparation, performance, and retention, including high-quality and relevant professional development activities, merit or performance pay, induction programs, teacher academies, and alternate routes to certification.

Recommendation

- Support state strategies to recruit, retain, and reward our nation’s best teachers and principals.
- Support expansion of programs, like the Teacher Incentive Fund, to reward teachers and principals.
- Amend the highly qualified teacher (HQT) requirements to count newly hired teachers (particularly rural, special education, and ELL teachers) as “highly qualified” when they meet standards in their primary subject areas and are on a pathway with regard to additional subjects based on a high, objective, uniform state standards of evaluation (HOUSSE).
- Help states enhance their capacity to develop a highly qualified teacher workforce, including induction and mentoring programs to address retention.
- Support state strategies to encourage our nation’s best teachers to accept the most challenging teaching assignments and discourage the practices of emergency certification of teachers and out-of-field teaching.

Optimize, Target, and Increase Resources – States have assumed significant new responsibilities under NCLB and are required to take core actions to implement federal law and move towards the goal of every child proficient by 2014. States support this mission, but also believe that the federal government must optimize, target, and commit additional resources to ensure that states, schools, and students have the means to reach the goals of NCLB.

Recommendation

- Commit sufficient resources to enable success and close the achievement gap.
- Provide greater state and local flexibility to transfer federal K-12 funds to achieve the goals of NCLB.
- Invest substantial, long-term, consistent funding for state action and intervention in underperforming schools.
- Dedicate federal resources for states to develop state assessments and P-16+ state data systems, and to provide meaningful technical assistance, reliable research, support for teachers, and enhanced student support services.

High School Reform – Across the nation, governors and chief state school officers are leading efforts to redesign American high schools, including improving access to Advanced Placement coursework, strengthening P-16+ longitudinal data systems, and increasing access to dual enrollment and early college options. This work can be supported and expanded to ensure that every student graduates from high school better prepared for college and career success.

Recommendation

- Expand and fund access to Advanced Placement (AP), International Baccalaureate (IB) and certificate programs for all students and preparation for teachers.
- Provide grants to governors and chief state school officers to develop, enhance, and expand state dual enrollment and early college programs.
- Expand the use of technology to include e-learning, virtual high schools, or e-mentoring for high school students.

Voluntary International Benchmarking – Students no longer compete against peers in neighboring cities or even states – our students must compete in a global economy. The federal government should recognize and support states’ initiatives to voluntarily benchmark state standards to international skill sets to help improve students’ global competence.

Recommendation

- Provide grants to governors and chief state school officers to conduct a voluntary analysis of state standards with the skills being measured on Program for International Student Assessment (PISA) and Trends in International Mathematics and Science Study (TIMSS) and incentive funds to implement governor-and chief-led solutions, including standards improvements.

Reinforce Role of the States – States are positioned to build on the systems developed as part of NCLB and are eager to work with Congress and the Administration to reauthorize NCLB in a manner that recognizes the leading role of states and builds on states’ tremendous accomplishments. To this end, NCLB should be revised to include a renewed state-federal partnership that promotes innovation and provides flexibility, while holding education accountable, to ensure that the law is working for states, school districts, and most importantly, our nation’s students.

Recommendation

- Amend NCLB to support, recognize, and reinforce gubernatorial and state education agency “states” authority over K-12 education.
- Recognize and value the leading role states play in the development, implementation, and enforcement of federal, state, and local education policies.

P-16+ Alignment – States have taken the lead in recognizing the fundamental responsibility for a seamless progression from preschool through college (P-16+) to lifelong learning. P-16+ alignment is critical to ensure that students are prepared for and successful at each step within the education system. Recognition of this seamless education continuum is critical in fashioning federal education policies.

Recommendation

- Align NCLB requirements, goals, and outcomes with other federal education and workforce laws, promoting excellent education and smooth transitions for all students.
- Support the development of state P-16 or P-20 Councils and state P-16 or P-20 longitudinal data systems to identify and shore-up holes in the education pipeline.

Peer Review – States and local schools are the engines of education innovation. Working together, states and the federal government can promote this commitment to continuous improvement and utilization of best practices through the peer review process and allowance for waivers.

Recommendation

- Work with states to share best practices and new innovations.
- Ensure a strong state role in the selection of qualified state peers.
- Require a range of improvements in the peer review process with a focus on technical assistance, transparency, clear communication and dialogue with states, consistency in peer review standards and outcomes across states, timeliness of feedback and results.

CONCLUSION

The recommendations above represent the major issues Congress will face in reauthorizing NCLB. The nation's governors, chief state school officers, and state boards of education members submit these joint recommendations in an effort to craft a new federal education law that preserves NCLB's "bright line principles" while returning authority to states to ensure that all students are prepared for postsecondary education, work, and citizenship in the 21st century.

Governors (National Governors Association), chief state school officers (Council of Chief State School Officers), and state boards of education members (National Association of State Boards of Education) also recommend additional amendments to the law as outlined in their respective NCLB and ESEA policies. Our positions are also attached for your information.

CONTACT INFORMATION

If you have any questions regarding the NGA-CCSSO-NASBE Joint Statement, please feel free to contact Joan Wodiska of NGA (202-624-5361/ jwodiska@nga.org), Scott Frein of CCSSO (202-336-7010/ scottf@ccsso.org), or David Griffith of NASBE (703-684-4000/ davidg@nasbe.org).

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ECW-2. EDUCATION REFORM

2.1 Preamble

In today's competitive global economy, our kindergarten through twelfth grade (K-12) education system must prepare students to be successful in work, life, and in an ever and rapidly changing world. Governors support the tenets of the No Child Left Behind Act (NCLB) and are working to implement the law, close the achievement gap, and ultimately, improve achievement among all students. Congress should work closely with states to provide the necessary flexibility, while maintaining the principles of the law and holding education to the highest standard, to ensure that NCLB is working for states, school districts, and most importantly, our nation's children. During the past decade, the nation's Governors have been bold and effective leaders in the education reform movement. Under gubernatorial leadership, states have set higher standards for students and followed through with substantially increased funding to support districts and schools in helping students reach those standards. Governors have been at the forefront of the standards-based movement to improve student achievement. However, Governors recognize that much work still remains to achieve America's education goals.

Education is primarily and properly a state responsibility. Governors also recognize the important and supporting role of the federal government in education. The federal government can assist states by providing extra and essential assistance for students most in need, recognizing and assisting teachers, and supporting Governors' leadership authority through NCLB.

In the upcoming reauthorization of NCLB, Governors believe that Congress should reinforce and support sound state education practices, roll-back restrictions on states' ability to align and integrate delivery systems for students, assist and recognize the needs of our nation's teachers, and ultimately, support state efforts to raise student achievement. For this reason, Governors urge Congress to adopt and support the following recommendations to further reform elementary and secondary education.

2.2 The Role of Governors

Elementary and secondary education policy is broadly defined in state constitutions, specified in state statutes, and implemented by school districts. Federal law should support gubernatorial authority and state responsibility for K-12 education. Governors must maintain the authority to oversee the operation of education in their states at all levels. The fragmentation and diffusion of education governance creates competing interests and conflicts at a time when the system needs to move toward collective goals for all students. For this reason, NCLB must recognize and reinforce the leading role of Governors in education. Governors believe it is essential for state education agencies to adhere fully to the consultation requirements of NCLB. The U.S. Secretary of Education should require certification of compliance.

2.3 P-16 Alignment of the Education System

Governors also have taken the lead in recognizing the fundamental state responsibility for a seamless progression from preschool through college (P-16) to lifelong learning. P-16 alignment is critical to ensure that students are prepared for and successful at each step within the education system and prepared for work, postsecondary education, and life. Recognition of this seamless educational continuum is important in fashioning federal education policies. Today's competitive global economies demand that our education systems start at an early age, be available to everyone, and continue for a lifetime. This can best be achieved through a vigorous federal-state-local partnership. Moreover, vigorous

coordination among federal, state, and local education entities is important in fostering P-16 alignment of education laws. Congress should align the requirements, goals, and outcomes of NCLB with other federal education and workforce laws, promoting excellent education and smooth transitions for all students.

2.4 Accountability

Key to states' success is the use of accountability systems. Every state has developed new academic standards and assessments that measure progress against those standards. States are using standards and assessments as the foundation to build accountability systems that inform the public about the performance of students across the state and call for specific actions to be taken if a school or school district is not able to help its students do their best. Each state's accountability system is different because it aims to reflect the appropriate role that the state plays in education reform at the local level.

2.4.1 State Accountability Systems. Governors support an education system that focuses on performance, is aligned with the state's standards, and incorporates strong accountability mechanisms. Federal education resources must be accompanied by broad flexibility to ensure that those who work within the education system can be held accountable for their results. Governors strongly support the use of accountability measures, but these measures must be determined at the state level, not the federal level. Maximum flexibility in designing state accountability systems, including testing, is critical to preserve the amalgamation of federal funding, local control of education, and state responsibility for system-wide reform. Governors acknowledge that with this additional flexibility comes an added responsibility for states to develop their accountability systems, including testing, and to satisfy the intent of NCLB.

2.4.2 Assessing Student and School Performance. Governors recognize the critical importance of meaningful annual assessment of students and schools and the need for reliable, disaggregated data to understand student learning as well as the strengths and needs within a school. Governors support the requirement in NCLB to annually assess students in reading and math in grades three through eight, as well as once in high school, and believe that a combination of state and local testing satisfies federal assessment requirements. The U.S. Department of Education should approve a state's assessment plan as being in compliance with any new federal requirements for annual state student assessments if the plan meets the goals of federal accountability policies.

2.4.3 Adequate Yearly Progress. Governors support measuring adequate yearly progress (AYP) for students to provide a clear picture of student performance at the state and local levels, and to diagnose areas of need for all subgroups of students. While refinement of AYP may be necessary to reflect real-world student progress, the tenets of the law to ensure that "no child is left behind" must be fiercely preserved to ensure that all students achieve their potential and that schools are held accountable for student performance.

Governors support the use of voluntary value-added or growth models to determine AYP. Congress should work closely with Governors in the development of legislation dealing with value-added or growth models to ensure maximum state flexibility and utility, while preserving the tenets of NCLB to raise student achievement. All states should be eligible to utilize value-added or growth models.

Limited English Proficient (LEP) students, one of the fastest growing groups of students in the nation, often have difficulties participating in assessments due to language barriers. Congress and the Administration should work with Governors to provide flexibility within AYP to ensure that LEP students are given adequate time to overcome language barriers and make academic gains, and that LEP student gains are accurately reflected within school data.

Congress and the Administration should work to refine AYP to reflect the academic progress of students with disabilities. Governors believe that flexibility on alternate and modified assessments for students with disabilities should be addressed in the law. Additionally, Congress should continue to work with Governors to ensure accountability for the education of students with disabilities while also providing flexibility for and recognition of schools and states making progress.

Congress and the Administration should continue to work with Governors to ensure that states have the flexibility needed to appropriately measure the progress of all students while vigorously working to close the achievement gap among struggling students.

2.4.4 Data Collection. Congress and the Administration should promote, reward, and fund the voluntary use of state P-16 data collection systems. Exemplary state longitudinal data systems that measure student progress will help pinpoint the holes in the education pipeline by improving system-wide accountability and the relationship between teaching and learning, as well as inform resource allocation. Congress and the Administration must align NCLB and other federal education data requirements.

2.5 Teacher Quality

Congress should support state efforts to create a highly qualified teacher workforce. Governors believe that high standards for the teaching profession are central to improving student performance. States are adopting different strategies to improve teacher performance. Some successful strategies include high-quality and relevant professional development activities for teachers; teacher testing and certification based on high standards, such as those developed by the National Board for Professional Teaching Standards; merit or performance pay; teacher academies; alternative routes to certification; and other methods to ensure that teachers in all classrooms have knowledge of both subject matter and teaching methods. Professional development activities should be aligned with the state's content and student performance standards and should be tied to improving student achievement.

Governors support and recognize the importance of having highly qualified teachers in the classroom and are addressing issues of teacher preparation, licensure, induction, professional development, compensation, and advancement. In addition, states are rethinking how postsecondary institutions should prepare and provide ongoing support for school professionals. Through these efforts, states are making progress towards recruiting and retaining highly qualified teachers. While Governors support current state efforts to align teacher preparation and school leader preparation programs, any federalized efforts to link teacher preparation programs with student performance should be opposed by Congress. Instead, Congress should support state or federal strategies to encourage our nation's best teachers to accept the most challenging teaching assignments.

Congress should retain its emphasis on highly qualified teachers in every classroom so that all students may benefit from strong teaching. However, Governors urge Congress to provide and codify flexibility for teachers of multiple subjects in high-need areas, particularly for special education teachers and teachers in rural areas. Flexibility is crucial to ameliorating excessive burdens and teacher shortages due to highly qualified teacher requirements.

2.6 NCLB Rewards, Incentives, and Sanctions

2.6.1 Rewards or Incentives. NCLB should be amended to offer states rewards or incentives for raising student performance and holding schools to high standards. Congress should work closely with Governors to design an incentive or reward system in NCLB. Governors also believe that states should be enabled to reward or incentivize schools and school districts that raise student achievement. States, local districts, and schools that improve should not be penalized by the withdrawal of rewards or incentives when increased student achievement is reached. Federal funds should be available to states for such rewards or incentives, and any federal rewards or incentives program should be funded without a reduction in funding for critical education programs.

2.6.2 Supplemental Services and School Choice. Governors recognize the need to provide assistance to struggling students. Governors urge Congress and the Administration to allow states to raise student achievement by first offering supplemental services before providing school choice. Governors support this logical progression of services for students, with an emphasis on helping students receive high quality services while staying in their school.

2.6.3 School Restructuring and Sanctions. Governors must have the discretion and wide flexibility to intervene in their states to continue to improve education. Governors support, and urge Congress to expand, the current authority granted to states in NCLB to quickly address areas of need in their education systems. Governors urge Congress to expand and reinforce gubernatorial authority in this area as well. Any federal sanctions should provide states with the time, flexibility, technical assistance, and clear authority to resolve problems and assist schools in need of improvement. In addition, Governors urge Congress to provide additional support to states to assist schools in need of improvement, since meaningful school reform requires substantial resources and capacity.

2.7 Funding

The goal of NCLB--that every child will reach proficiency as defined by the state--is supported by the nation's Governors. Governors also believe that the federal government must commit sufficient resources to ensure that states, schools, and students have the means to reach this important goal.

Congress should support full funding for the real costs of achieving proficiency for all children. Congress must make critical and substantial investments in education to support school reform--through enhanced and aligned data systems, meaningful technical assistance, reliable research, ongoing professional development, enhanced student support services, and strong accountability systems--for the achievement gap to close and for every child to succeed. Effectively preparing our nation's students for the 21st century global economy also requires investments in supporting federal education programs to reflect the continuing nature of education. In addition, each and every federal education mandate impacts state and local budgets and is often offset by resources from other state or local programs. Federal policy and funds should focus on supports and incentives for raising student achievement; federal funds should not be withheld from struggling schools or their states, as this would reduce financial resources at a time when additional assistance is necessary.

In moving toward the goal of NCLB, Congress could achieve considerable federal savings by reducing and streamlining the administrative costs and burdens of the law on states.

2.7.1 Targeting to Greatest Need. Governors recognize the link between poverty and low educational achievement. Working in conjunction and in cooperation with the states, the federal government should continue to target Title I funds to schools with the highest concentration of students living in poverty. Such support is essential if the nation is truly committed to the belief that all students can achieve at higher levels. Congress also should support targeted assistance for states working to raise student achievement among struggling subgroups of students.

2.8 Waiver Authority and State Flexibility

As the implementation of NCLB continues, the U.S. Secretary of Education should be granted enhanced waiver authority for unforeseen issues and circumstances that arise from the law.

Governors support the important NCLB provisions on exceptional or uncontrollable circumstances, such as natural disasters, emergencies, or a precipitous decline in the state's economy. Moreover, Governors believe that the U.S. Secretary of Education should be provided greater and broader waiver authority in times of natural disasters or emergencies for states. This waiver authority should include but not be limited to extending or waiving reporting requirements; waiving or modifying fiscal requirements related to maintenance-of-effort; modifying the required and allowable uses of federal funds; waiving any matching requirements for federal funds; expanding federal transferability of funds and carry-over authority for states; extending the length of time for states and schools to obligate federal funds; and adding flexibility for teacher qualifications and adequate yearly progress.

2.9 **Rigorous Curricula**

2.9.1 Science and Math Programs. The nation's Governors recognize that the growing need for highly skilled workers has caused many American companies to look increasingly to other areas of the world. The Governors believe that the United States should accept no less than to ensure that America leads the world in global innovation and remains the world's number one source of researchers, discoverers, inventors, teachers, and health care workers. Therefore, it is essential to inspire young people to pursue science and math in their future education and careers. This can be achieved by implementing real reform policies that emphasize strong educational and research development systems at every level; by implementing rigorous math and science curriculum in our schools; and by featuring strong accountability for both students and teachers.

2.9.2 Technology. Governors recognize that technology is an integral part of daily life in the 21st century, from home to school to the workplace. The use of technology in schools is not only critical in preparing our nation's students for the ever flattening global economy, but it also is an important tool to increase access to education through distance learning.

As technology becomes increasingly woven into every day life and the world marketplace, our nation's students must develop mastery over technology in order to be the premier leaders in the global economy. In addition, schools are safe and nurturing environments for students to receive critical training and practice with computers and technology. Therefore, teachers must be prepared to seamlessly utilize technology to instruct students.

Governors urge Congress to continue investing in critical programs--including, but not limited to, Title V, assistive technology, and E-Rate--that support teacher and student mastery of 21st century skills.

Governors also recognize that distance learning is increasingly important to ensure that barriers to learning are removed and that all students have access to a diversity of learning options and highly qualified teachers, even in remote areas. In addition, distance learning can facilitate meeting the goals of NCLB by removing geographic and physical barriers to education. For these reasons, Governors urge the federal government to support distance learning programs and provide enhanced technical assistance to state departments of education in the development, deployment, and expansion of distance learning programs essential for academic subjects, advanced placement coursework, and technical training.

2.9.3 Literacy Programs. Governors recognize the importance of literacy improvement efforts at all age levels to prepare our nation's students for lifelong learning and work opportunities. Governors applaud federal efforts to help states expand and create multi-generational literacy programs of the highest quality that are based on reliable and replicable research. Governors believe that literacy programs such as Reading First, which provides grants to states to ensure that all students are proficient readers by the third grade, are important components of comprehensive literacy services. Governors support continued funding of student and family literacy initiatives.

2.9.4 Civics Education. Governors support federal initiatives that seek to help states educate a more knowledgeable citizenry. Efforts that focus on improving teachers' knowledge and supporting the state development of model curricula for history, geography, and civics are examples of initiatives that will help schools, school districts, and states better prepare their students for life in a global economy, while allowing states flexibility to meet specific state situations.

2.10 **Other Supporting Elementary and Secondary Programs and Services**

2.10.1 Parental and Guardian Involvement. Parents and guardians have the primary responsibility and right to make decisions about their children's education and must be included in any decisions made on behalf of students. Governors recognize that there are actions parents can take so their children can reach their full potential. States must be allowed to use federal funds to encourage and expand the work of schools through programs designed to support parents as their child's first teacher and to further parents' participation in their children's education while also promoting collaboration with other programs and agencies that support parent involvement.

- 2.10.2 Safe and Drug Free Schools.** The Governors continue to place a high priority on making schools safe and nurturing environments for students. States have used federal Drug-Free Schools and Communities Act funds for diverse prevention efforts. Governors support the specific set-aside to assist Governors in implementing school safety and drug abuse prevention efforts and believe states should be allowed to coordinate related federal funds across state agencies for supporting state and local efforts to create a safe learning environment for all children.
- 2.10.3 Healthy Schools.** The nation's Governors are committed to--and working towards--promoting healthy schools. Governors urge the federal government to support states in these efforts through voluntary child nutrition in school meals and classes; physical activity; and partnerships among schools, families, and the community on school health and wellness initiatives. Governors also support fresh fruit and vegetable programs for school meals. In addition, many states have realigned their human services delivery systems to ensure that young children come to school ready to learn and that these children's health and emotional needs are being met so they can focus on learning. Federal education programs, including opportunities for waivers from existing regulations, should give states the option to coordinate human services delivery systems.
- 2.10.4 Continued Federal Funding for Impact Aid.** The federal government has a unique and historical responsibility to help finance the education of children connected to federal property on which no local property taxes are paid to support education. Any reduction in the federal government's commitment to impact aid would result in an unfunded mandate on states and local school districts.
- 2.10.5 School Construction Bonds.** Governors urge Congress and the Administration to support the Qualified Zone Academy Bond program and to expand its use to new construction so that states may continue to upgrade and modernize educational facilities. The federal government also should ensure that the annual authorized limit on the federal tax credit is sufficient to meet states' needs.
- 2.10.6 Innovative Programs.** Title V, Part A, Innovative Programs of NCLB, is an important program that provides critical, flexible funds to state departments of education and local school districts to help raise and improve student academic achievement. Despite the enhanced flexibility of NCLB, states and local schools continue to rely on this important program to provide and supplement educational services and resources that improve students' academic achievement. Governors urge Congress and the Administration to support and maintain funding for this flexible and important program.
- 2.10.7 National Assessment of Educational Progress.** Governors recognize the importance of the National Assessment of Educational Progress (NAEP) to provide Congress with national data in an independent role. The NAEP results were designed as a national snapshot of student performance, as they were intended. State NAEP results are not comparable with State Assessment Results, since NAEP is not based on or aligned with individual state academic standards. NAEP should not be used as the primary measure of state proficiency or as a substitute for state assessments. Rewards or sanctions should not be levied on a state based on its NAEP results, but should rely on the state's own accountability system. In addition, Governors believe it is important to recognize that NAEP is designed as a representative sample and should not be required of every student; however, NAEP should provide appropriate accommodations for students with disabilities. Given the variety and breadth of high school assessments, Congress and the Administration should closely consult with Governors before mandating a twelfth grade NAEP. The federal government must continue to ensure that all related state and local NAEP assessment expenses are fully reimbursed.

Related Policies

ECW-13, High School Reform to Lifelong Learning: Aligning Secondary and Postsecondary Education

ECW-14, Public Charter Schools

ECW-15, Principles of Federal Preschool-College (P-16) Alignment

EDC-8, State Priorities in Communications

Time limited (effective Winter Meeting 2006–Winter Meeting 2008).

Adopted Annual Meeting 1993; revised Winter Meeting 1994; reaffirmed Winter Meeting 1996; revised Annual Meeting 1996, Annual Meeting 1998, Annual Meeting 1999, Winter Meeting 2001, Winter Meeting 2002, Winter Meeting 2003, and Annual Meeting 2004; reaffirmed Winter Meeting 2005 and Annual Meeting 2005; revised Winter Meeting 2006 (formerly Policy HR-4).

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RECOMMENDATIONS TO REAUTHORIZE THE ELEMENTARY AND SECONDARY EDUCATION ACT



The Council of Chief State School Officers (CCSSO) is a nonpartisan, nationwide, nonprofit organization of public officials who head departments of elementary and secondary education in the states, the District of Columbia, the Department of Defense Education Activity, and five U.S. extra-state jurisdictions. CCSSO provides leadership, advocacy, and technical assistance on major educational issues. The Council seeks member consensus on major educational issues and expresses their views to civic and professional organizations, federal agencies, Congress, and the public.

When Congress last amended the Elementary and Secondary Education Act (ESEA), through passage of the No Child Left Behind Act (NCLB), state movement toward standards-based reform was uneven. NCLB mandated, as a requirement of receipt of federal funds, nationwide state action on several foundations of standards-based reform, based on specific minimum requirements. Today, based in part on NCLB, those foundations are widely in place, including state standards, state assessments, state data systems, state accountability systems, state teacher quality requirements, and more. State education agencies (SEAs) are focused on school and district performance and ensuring that all students (and all subgroups of students) achieve high standards. Now, the question

is how do we build on and invest in these systems to promote innovation and advancement in a manner that can best improve student achievement and close achievement gaps.

State education agencies (SEAs) are focused on school and district performance and ensuring that all students (and all subgroups of students) achieve high standards.

To that end, CCSSO launched an ESEA Task Force in January 2006 to help states identify and achieve consensus around the key principles that must be addressed when Congress reauthorizes ESEA. As a result of the Task Force's work, CCSSO recently published a comprehensive Policy Statement regarding ESEA reauthorization and the type of state-federal education partnership that our nation needs to maintain its leadership – moral, democratic, and economic – in the 21st century. CCSSO's Reauthorization Policy Statement urges Congress and the U.S. Department of Education (ED) to pursue a new partnership model based on three core themes: (1) innovation, including continued support and increased autonomy for states to build on the foundations of standards-based reform, (2) capacity, including greater focus on building the ability of state and local education agencies to improve learning opportunities for all students and to intervene in consistently low-performing districts and schools, and (3) research and development, including increased investment in research, evaluation, technical assistance, and collaboration to

help inform state and local efforts to improve student achievement and close achievement gaps.

The purpose of this document is to build upon CCSSO's ESEA Reauthorization Policy Statement to provide more specific recommendations to Congress about how to update and improve upon ESEA to help ensure that all students are prepared for postsecondary education, work, and citizenship in the 21st century. The following specific recommendations regarding the current No Child Left Behind Act have been endorsed by chiefs as states' top consensus priorities for ESEA reauthorization.



PROMOTE INNOVATIVE MODELS AND REINVENT PEER REVIEW. The reauthorized ESEA should encourage, not stifle, innovation, and it should improve the peer review process to make it a true state-federal partnership in that regard – with a focus on knowledge enhancement and promotion of educationally sound models rather than monitoring for narrow compliance. The innovation that we need in education cannot be achieved by a federal law that only acknowledges one system for another five-plus years without room for continuous improvement. CCSSO urges Congress to amend NCLB Section 9401 to remove and recast NCLB’s current “waiver” authority to

indicate that the Secretary “shall” approve innovative models where states can demonstrate, through a revised peer review process, good faith, educationally sound strategies to raise the bar for standards-based reform in each state’s context, along with accountability for raising student achievement and closing achievement

Current law contributes to this problem by incorrectly characterizing the Secretary’s acknowledgement of alternative models as “waivers” as opposed to innovative pathways to improving student achievement.

gaps. CCSSO further urges Congress to amend NCLB Section 1111 to ensure a strong state role in the selection of qualified peers (including peers from the states) and to require a range of improvements in the peer review process to ensure a focus on technical assistance, full transparency, real communication and dialogue with states, consistency in peer review standards and outcomes across states, timeliness of feedback and results, dissemination of promising practices, and more.

Rationale: Under current NCLB authority, the Secretary *may* grant flexibility beyond NCLB language where states propose models that are educationally sound. Despite the Secretary’s “new equation” for NCLB implementation, this flexibility has been very limited. Current law contributes to this problem by incorrectly characterizing the Secretary’s acknowledgement of alternative models as “waivers” as opposed to innovative pathways to improving student achievement. Now that the foundations of standards-based reform are in place, we need to move from debates over “flexibility” and “waivers” to encourage innovative models approved through a revised and enhanced peer review process. Peer review has become an important mechanism by which the federal government enforces specific program requirements, while trying to avoid issues of federalism. The process has great potential, but has been replete with problems in implementation including under-qualified peers, lack of transparency, lack of timeliness, unevenness across states, etc. Peer review needs to be truly *peer* and *review*, including a focus on knowledge development and technical assistance, and continuous interaction among peer reviewers, ED, and the states regarding what is most educationally sound.

IMPROVE ACCOUNTABILITY DETERMINATIONS. The reauthorized ESEA should encourage use of a variety of accountability models focused on individual student achievement that build on adequate yearly progress (AYP) to promote more valid, reliable, educationally meaningful accountability determinations. CCSSO urges Congress to amend NCLB Section 1111 to ensure states’ right to use true growth models to complement status measures (to follow the progress of the same students over time at all performance levels). The reauthorized ESEA should also ensure states’ right to use relevant confirmatory/compensatory data regarding school performance as part of a process for accountability determinations based on multiple measures and sound judgment (to differentiate accountability determinations and consequences [see the next Recommendation]).

Rationale: Under NCLB, states are required to make AYP determinations for all public schools and districts, and to base AYP on 95% participation, percent proficient, and one additional indicator. States must generally base accountability determinations on the performance of different cohorts of students from year to year. ED has allowed the use of index systems and announced a growth models pilot project, but only five



states have been even provisionally approved to use (often narrowed-down) growth models as part of AYP. Further, some states have devised systems that examine AYP data plus additional confirmatory data for AYP, but they generally may not consider those data in accountability determinations or to differentiate consequences. Federal law should encourage states to continuously improve their accountability models and to make the most valid, reliable accountability determinations, basing AYP and consequences on the most valid, reliable evidence and judgment.

DIFFERENTIATE CONSEQUENCES. The reauthorized ESEA should encourage a full range of rewards and consequences for districts and schools that differ appropriately in nature and

Federal law should encourage states to promote the most educationally sound actions and timelines to help ensure that schools and students meet performance expectations.

degree, based, for example, on whether schools miss AYP by a little versus a lot. CCSSO urges Congress to amend NCLB Section 1116 to permit states to exercise appropriate judgment and differentiate both accountability determinations and consequences based on sound evidence. This includes targeting interventions to the lowest

performing students/subgroups that do not meet AYP and maintaining consequences (without escalation) where schools are demonstrating significant plans and progress in addressing identified underperformance. The law should also be amended to focus more on supports for schools and students, to increase parental choice regarding the kinds of supplemental educational services provided, to permit states and districts to change the order of required consequences (particularly choice versus supplemental educational services), and to target supplemental educational services based on academic need, and to increase opportunities for the provision of supplemental educational services at the district level.

Rationale: Under NCLB, states are required to implement a system of rewards and consequences for all public schools and districts, including a series of required, escalating sanctions for Title I schools and districts. Without amendment, NCLB requires the same classifications and interventions for Title I schools and districts regardless of whether they missed performance goals by a little or a lot, regardless of the plans and capacities in place, and regardless of the interim progress being made. This is neither efficient nor effective. Federal law should encourage states to promote the most educationally sound actions and timelines to help ensure that schools and students meet performance expectations. Federal law should promote an array of supports, including encouraging districts to offer parents a menu of choices for supplemental educational services, such as after-school programs, private tutoring, summer school, etc.

IMPROVE ASSESSMENT SYSTEMS. The reauthorized ESEA should encourage, though not require, use of a variety of state and local assessment models that can improve teaching and

learning and promote more valid, reliable accountability determinations. CCSSO urges Congress to amend NCLB Section 1111 to permit states to promote the use of multiple state and local assessments (including assessments that can show growth at all levels) and ensure states' right to vary the frequency and grade spans of assessments. CCSSO further urges Congress to provide continued support for states to strengthen assessment systems.

Rationale: Under current NCLB implementation, states are generally required to have summative assessments in reading and math in grades 3-8 and once in 10-12. States are now working to improve upon those systems by building more educationally sound models in each state's unique context, including the development of formative, embedded, web-based state and local assessment systems. This movement should be encouraged within federal law to better link assessment for accountability with meaningful improvements in teaching and learning (without micromanaging deeper state assessment systems).



PROPERLY INCLUDE STUDENTS WITH DISABILITIES. The reauthorized ESEA should encourage inclusion of students with disabilities in state assessment and accountability systems in a manner that is most meaningful for the full range of students with disabilities, based on

The reauthorized ESEA should encourage inclusion of students with disabilities in state assessment and accountability systems in a manner that is most meaningful for the full range of students with disabilities.

ambitious but educationally sound performance goals and measures. CCSSO urges Congress to amend NCLB Section 1111 to permit use of alternate assessments measured against alternate/modified achievement standards based on individualized growth expectations across grade levels as needed for some students. The

law should also be amended to count the performance of students with disabilities who recently transitioned out of that subgroup in subgroup accountability determinations for an appropriate period.

Rationale: Under NCLB, states are required to include students with disabilities in state assessment and accountability systems. ED has permitted states, by regulation and interim flexibility, to use alternate assessments aligned with alternate/modified achievement standards for a small number of students with significant disabilities (so-called 1% and 2% students), but these have been established as rigid caps. States have been prohibited from basing AYP on student growth consistent with Individualized Education Program (IEP) team goals or growth across grade levels, and states have been prohibited from including alternative diplomas in graduation rates where consistent with IEP team goals even for the most significantly disabled students. For inclusion in assessment and accountability to be valid, it must be educationally meaningful for each student, and federal law (both ESEA and the Individuals with Disabilities Education Act [IDEA] working together) should reflect that.

PROPERLY INCLUDE ENGLISH LANGUAGE LEARNERS. The reauthorized ESEA should encourage inclusion of English language learner (ELL) students in state assessment and accountability systems in a manner that is most meaningful for the full range of ELL students, based on ambitious but educationally sound performance measures and goals. CCSSO urges Congress to amend NCLB Section 1111 to permit states to properly include new immigrant ELL students in school accountability based on multiple measures for several years (no fewer than 3 years) where educationally appropriate. The law should also be amended to allow the use of a full range of alternate assessments and to value individualized growth. In addition, federal law should count the performance of students who recently transitioned out of the ELL student subgroup in subgroup accountability determinations for an appropriate period.

Rationale: Under NCLB, states are required to include ELL students in state assessment and accountability systems. ED has permitted by regulation states to count only participation for new immigrant ELL students for one year in making AYP determinations. After that, states must include ELL students based on standard or alternate content knowledge assessments aligned with grade-level performance standards. For inclusion in assessment and accountability to be valid, it must be educationally meaningful for each student, and federal law (both Title I and Title III of ESEA, working together) should reflect that. This requires greater flexibility regarding the method of inclusion in accountability, particularly for new immigrant ELL students who in many cases have previously had no English instruction and no formal schooling.



ENHANCE TEACHER QUALITY. The reauthorized ESEA should provide incentives for states to create the best teaching force in the world, by continuously improving teacher quality, by supporting best-in-class professional development, and by encouraging use of multiple individual pathways to pedagogical and subject matter expertise. CCSSO urges Congress to amend Section 1119 to incentivize continued improvement in teacher quality in a

meaningful manner. Recommended changes include counting newly hired teachers (particularly rural, special education, and ELL teachers) as “highly qualified” when they meet standards in their primary subject areas and are on a pathway (of no more than three years) with regard to additional

Federal law should encourage states to establish multiple measures for teacher quality, set ambitious but meaningful bars, and leverage those bars to improve teacher preparation and performance over time.

subjects based on a high, objective, uniform state standard of evaluation (HOUSSE). The law should count teachers of students with disabilities and ELL students as “highly qualified” where they work in close consultation with another teacher who is highly qualified and offer alternative pathways and multiple measures of subject

matter expertise (including HOUSSE). The new law should also provide incentives for (but not require) performance systems based on growth in student achievement as *one of multiple measures* (such as continued support for the Teacher Incentive Fund), and should provide incentives to help ensure that experienced, successful teachers serve in the most challenging schools.

Rationale: Under NCLB, states are required to take action to ensure that all teachers of core academic subjects are “highly qualified,” which is defined to include having a bachelor’s degree, being fully certified, and demonstrating subject matter expertise. States are permitted to adopt pathways to certification for up to three years, but not (expressly) for subject matter expertise (except for a limited number of small/rural and special education teachers teaching multiple subjects). And subject matter expertise has been rigidly defined in some cases as requiring a subject-matter test, with ED threatening to “phase out” the HOUSSE standard. Federal law should encourage states to establish multiple measures for teacher quality, set ambitious but meaningful bars, and leverage those bars to improve teacher preparation and performance over time.

STRENGTHEN RESOURCES. The reauthorized ESEA should retain and provide additional funds at the state level that appropriately reflect the increased roles and responsibilities placed on states under ESEA for systemic actions to help improve student achievement and close achievement gaps. CCSSO urges Congress to amend NCLB to provide additional, long-term, consistent funding for SEA action and intervention in underperforming districts and schools (such as through full and increased funding for School Improvement Grants); for key areas such as state assessments (particularly including alternate assessments and English proficiency assessments), state data systems, and technology; and for research and development to inform state and district efforts.

Rationale: Under NCLB (and as a matter of broader standards-based reforms), states have assumed significant new responsibilities and are required to take core actions to implement federal law and promote student achievement, including development of state standards, state assessments, state accountability systems, state data and reporting, state teacher quality requirements, and more. This particularly includes providing technical assistance and interventions to support and turnaround underperforming districts, schools, and students. For this system to succeed, federal law must recognize a shared state-federal responsibility for improving student achievement and closing achievement gaps, and must provide greater investments for SEAs as core partners and levers of leadership and change in standards-based education reform.



NCLB Reauthorization

~ Guiding Principles ~

This past year, NASBE's Governmental Affairs Committee (GAC) undertook a year-long review of the No Child Left Behind Act in preparation for the reauthorization of the federal education reform law scheduled for 2007.

The result of this work is a set of guiding principles that the organization will use as the foundation of its work during the NCLB reauthorization process. The document reflects the consensus of the GAC after a year of presentations and discussion with congressional leaders, education policy experts, and, most importantly, with state board members themselves about their perspective and experience in implementing No Child Left Behind.

Given the national importance of NCLB reauthorization and the centrality of issues related to standards, assessments, accountability, and teacher quality, the NASBE Board of Directors and the organization's voting delegates unanimously adopted these principles at the 2006 Annual Conference.

These principles will be the starting point for NASBE as NCLB reauthorization gets underway this year. They will serve as the organization's opening position statement and as an initial screen to evaluate the multitude of reauthorization proposals that may be introduced. This will allow the GAC to concentrate on specific legislation and specific provisions within proposed legislation to determine if federal policies are consistent with state board of education priorities, aligned with state education reform efforts, likely to achieve their desired goals, and, of course, are in the best interest of students.



Obviously, these principles do not specifically address all the issues involved in the No Child Left Behind Act, nor are they meant to. Rather, they represent the fundamental priorities identified by state board of education members for any federal education reforms. At their core, NASBE's guiding principles are about shifting from a law of absolutes to one that recognizes that a one-size-fits-all approach is difficult, if not impossible, to implement with fifty states operating fifty different education systems. Thus, the principles recommend:

- Flexibility in state assessment requirements (particularly for testing of special needs students such as students with disabilities and LEP students).
- Better alignment of state and federal accountability systems, and allowing the use of growth model measures in all states.
- Accommodations in teacher qualifications and deference to state licensure procedures to take into account the challenges of staffing rural areas and high-need subjects.
- Increasing the federal investment in state capacity, which would solidify the state-federal partnership in improving low-performing schools.
- Transparency in all dealings, negotiations, and approvals between state and federal officials.

Finally, NASBE emphatically recommends that Congress strictly adheres to its own timetable for completing NCLB reauthorization in 2007.

NASBE Guiding Principles for the Reauthorization of the Elementary and Secondary Education Act

The National Association of State Boards of Education (NASBE) believes people are our nation's most valuable resource, and that free, high-quality public education is of paramount importance to the strength of this country, the preservation of society, and the well being of its citizens. Public education remains a foundation of democratic values, of civic participation in the community, and of the nation's promise of equal opportunity for all. In an age of increasing diversity and stratification, America's public schools remain one of the last remaining institutions through which all Americans enjoy a shared experience.

Toward that end, we, the members of NASBE, believe that all children can achieve high standards of learning and are committed to making decisions that put the needs of young people ahead of all other considerations. Every individual child must be given the support to develop to his or her full potential. We reaffirm our pledge to continue leadership efforts to improve public schools by promoting quality education, equal opportunity, and adequate and equitable resources for each and every student.

Given the importance of public education as a foundation of national security, a vibrant economy, and a democratic society, NASBE believes the federal government has a primary responsibility to identify the national interests and goals in education and provide leadership to ensure that those goals are being met.

The current iteration of the federal Elementary and Secondary Education Act (ESEA), called the No Child Left Behind Act (NCLB), has had a profound impact in elevating federal oversight above traditional state authority. From specifying the exact mathematical calculations that must be made in determining a school's performance to defining what is a "highly qualified teacher," NCLB has established an unprecedented level of federal involvement in state education decision-making.

State boards of education agree with NCLB's emphasis on the importance of educating all children and applaud its success in calling national attention to the unacceptable persistence of achievement gaps among racial, ethnic, and socio-economic subgroups of students. But we do not agree with the one-size-fits-all micromanagement of the nation's 95,000 public schools and the enormous and unproductive bureaucratic burdens that micromanagement has placed on states, school districts, schools, administrators, and teachers. The next reauthorization of ESEA must take into account existing state education reforms and incorporate flexibility into the statute that will allow nationwide implementation to be tailored to the unique circumstances of individual states.

The federal government should provide vision in the development of a national policy on children, youth, and families that will afford every child the opportunity to become a healthy, literate, responsible, economically self-sufficient, and productive adult. This federal leadership should provide the vision, while allowing states freedom to develop and implement policies according to their individual circumstances. Goals can and should be national; the choice of means must be state and local.

The federal government should undertake activities to promote research, evaluation, and dissemination of developments in curriculum, teaching, learning, and the management of schools. The federal government should be instrumental in collecting and analyzing data, statistics, and information about education generally.

Federal legislation, rules, and regulations and the distribution of federal funds must be respectful of and not conflict with state statutes and constitutions that establish education governance and accountability for the state. The federal government should not mandate or promote advisory groups that duplicate or impinge upon state board of education functions.

As a practical matter, ESEA is scheduled to be reauthorized in 2007. Congress must adhere to this timetable in fulfilling its legislative duties. Any delay or postponement of reauthorization beyond 2007 would send an unmistakable message to the public about the priority it places on national education reform and its concern, or lack thereof, about the academic success of students such reforms are intended to help.

ASSESSMENTS and ACCOUNTABILITY

Assessments

Improving achievement levels for all students is a lengthy and complex process that all states are currently engaged in. State administered assessments, while invaluable in this effort, in and of themselves should not be considered as a panacea for all the problems in the education system. States—having ultimate responsibility for elementary and secondary education—must have flexibility on how to optimize learning and determine adequate progress in raising student achievement levels.

Federal requirements regarding state assessments should:

- Motivate each student to learn and monitor every student's progress towards achieving a state's academic performance standards;
- Use multiple indicators of student achievement and school performance to evaluate the performance of all elements of the education system and stimulate the system's continuous improvement;
- Report results in formats and language that parents and the public can easily understand;
- Inform state level policies and programs;
- Provide states with all necessary funding to comply with the required tests, including both development and ongoing administrative costs; and
- Unless they can show good cause otherwise, federal officials should defer to the thoughtfully and deliberately crafted assessment systems and accompanying accountability

measures states have crafted to meet their individual needs and circumstances.

Accountability

States have developed comprehensive accountability systems that foster continuous improvement of educational practices, with the ultimate goal of improving student learning. Student achievement and performance are at the core of clear goals for any local, state, or federal accountability system. States share the same goals to promote student achievement and to hold schools and districts accountable.

Federal accountability requirements must:

- Hold schools accountable for the performance of all students
- Have broad political, business, and community support so they can be sustained over time, yet also be adaptable to necessary changes.
- Have clear incentives and motivate students and educators to achieve high standards of performance.
- Be based on multiple measures producing accurate, meaningful, and valid results.
- Utilize a full range of interventions, including capacity building, in addition to specific sanctions and rewards.

Federal requirements regarding state accountability should:

- Allow all states to use student growth rates as the basis for meeting any federal accountability requirements, also known as “adequate yearly progress” (AYP).
- Permit states to use English proficiency attainment to hold schools and districts accountable for LEP students (in cases where it would be valid, reliable, and consistent with the student’s educational program).
- Allow states to count students with a disability who successfully complete their IEP (but do not earn a diploma based on state academic standards) in AYP calculations.

Sanctions

- State compliance with federal rules and regulations should not be enforced through threat of or actual withholding of federal funding for unrelated programs.
- States should be allowed to set their own professional qualifications for the instructional personnel of supplemental service providers.
- Federal policies and resource allocations must make it a priority to support and expand the capacity of state departments of education to provide technical assistance and other help to those schools and districts most in need.

TEACHER QUALITY

Good teaching matters. Teachers, policymakers, and parents realize that student achievement need not be prescribed by socioeconomic status, parent involvement, or race and ethnicity; on the contrary, recent evidence makes clear that regardless of the factors that students bring to school, good teachers measurably increase student learning, and good schools foster high levels of student achievement in large part because of the quality of their teachers and principals. Teacher and administrator quality are clearly among the most

significant factors in student achievement.

Effective teacher quality policies must include:

- State board of education authority over teacher licensure and certification, ensuring that these policies are fully integrated with the state education program.
- Pre-service teacher education programs that have clearly articulated standards aligned with K-12 systems.
- Requiring the completion of an approved teacher education program (or alternative teacher preparation program) and demonstrated knowledge of basic skills, content area, child development, methods of instruction, and classroom management.
- The limitation and ultimate elimination of emergency certification.
- State-developed proficiency-based approval for teacher education programs.
- A state-established process to examine the background, including any criminal record, of all school personnel.

HIGH SCHOOL REFORM

The institution of the American high school must undergo sweeping improvements in order to prepare all students for today’s economy. High schools must reject the notion that students with different abilities should be prepared for different futures. They must be willing and able to prepare all students to achieve both in postsecondary education and in the workforce without remediation.

True high school reform should:

- Focus on the core issues of literacy, high school structure (including use of the school day and the school calendar), teacher quality, and dropout prevention.
- Eliminate the need for remediation by the time a student earns a high school diploma.
- Provide an opportunity for students to access online and higher education courses, which can facilitate the transition of those students who pursue a college education.
- Have a better alignment of high school with post-secondary institutions into a seamless P-16 continuum.
- Ensure that high schools have relevant, challenging, and integrated curricula taught by qualified teachers who will manage the need for remediation.

MISCELLANEOUS

- 1.) Openness, transparency, and full disclosure with regard to any flexibility, waivers, exemptions, exceptions, or accommodations granted by the U.S. Department of Education to individual states must be mandatory. Such information is necessary to allow states learn from each other’s strategies and successes and to ensure

the integrity of the process.

- 2.) Federal funds provided for federally mandated education initiatives should be adequate to achieve the goals of these programs.
- 3.) In its role to promote and disseminate promising practices, ESEA should stipulate that the U.S. Department of Education identify successful schools and those that meet all federal education requirements so that policymakers and practitioners can research these case studies to reproduce the results sought by federal officials.
- 4.) Special consideration should be given to schools that are small, rural, and/or have limited resources to meet NCLB requirements such as highly qualified teachers, supplemental services, school choice, etc.
- 5.) The federal government should limit reporting requirements to those necessary to account for funds, to demonstrate compliance with constitutional and statutory requirements, and to assist in determining the most effective use of federal funds.
- 6.) As control over immigration is exclusively a function of the federal government, federal education funds should be provided to states with significant numbers of low-income immigrants to offset the costs of educating their children.
- 7.) There is a national crisis regarding the physical condition of schools and the need for new construction. Therefore, it is imperative and appropriate for the federal government to allocate funds to help states and local school districts rebuild their education infrastructure and leverage additional local spending on school construction and renovation.
- 8.) In that state boards of education are the only state policymaking authority focused solely on education, and that state boards work in close consultation with their governors and legislatures to implement the state's education agenda, therefore: The federal government should maintain the current framework of accountability and oversight of federal education funds that is provided by state boards and maintain the funds necessary for state departments of education to perform needed duties, services, and functions. Further, any new federally funded education initiatives intended for states should be, as they have historically been, directed through the state board of education.

For more information on NCLB Reauthorization, please contact NASBE Director of Governmental and Public Affairs David Griffith by calling (703) 684-4000 or by emailing davidg@nasbe.org.

NASBE
NATIONAL ASSOCIATION OF
STATE BOARDS OF EDUCATION

The National Association of State Boards of Education is a nonprofit, private association that represents state and territorial boards of education. Our principal objectives are to strengthen state leadership in education policy-making; promote excellence in the education of all students; advocate equality of access to educational opportunity; and assure responsible lay governance of public education.