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Prepared Testimony of
Kati Haycock, President, The Education Trust

Ranking Member Scott and other members of the House Committee on Education and the Workforce, thank you for the opportunity to address the importance of making sure all students matter in any reauthorization of ESEA that moves forward. In 2001, this committee put the finishing touches on a law that would go on to fundamentally reshape what it means to be a good school in America. Prior to that time, of course, schools could skate by on schoolwide averages, sweeping under the rug the large gaps in achievement among different groups of children. But you changed that when you declared that, in order to be a good school, you had to be good for every group of children that you served. All children had to be assessed and the results for all groups of children had to matter.

In the years that followed, achievement among black, Latino, and low-income children has improved. Indeed, on the longest-standing national examination — the National Assessment of Educational Progress Long-Term Trends — results for those groups improved faster than at any time since 1980. Instead of the gap-widening we saw during much of the '90s, we have seen gap-narrowing since that time.

On the main NAEP exam, the number of low-income fourth-graders at the Below Basic level in math was reduced by more than half between 2000 and 2013, while the number performing at the Proficient or Advanced levels tripled. Patterns were very much the same for students of color. Among black fourth-graders, for example, the number at the Below Basic level in math declined from 65 percent to 34 percent; among Latinos, the Below Basic numbers declined from 59 percent to 27 percent.

High school completion rates are also up, especially for black and Latino students. Graduation rates among black students have climbed from 59 percent to 68 percent; among Latinos, rates have climbed from 66 percent to 76 percent.

Let's be clear: Whether we are talking about proficiency rates or graduation rates, these numbers are not even close to acceptable.

- When the chances that a young black man will be imprisoned by age 34 drop from 68 percent to 21 percent with a high school diploma — and fall to 6 percent with a college degree — we cannot stop until we graduate every child, and graduate them ready for postsecondary education.
- When elementary reading is one of the most important predictors of high school graduation and life opportunities, yet almost half of our black, Latino, and Native children are still reading below the basic level, we cannot stop until we equip every child with the reading skills they need.

- When the average Latino or African American 17-year old still has reading and math skills not significantly different from the average, white 13-year-old, we cannot stop until we eliminate the deep inequities within our educational system that perpetuate — and even enlarge — these gaps and provide every single child in America with the education they need to climb the rungs of opportunity in America.

We must, in other words, pick up the pace — not back off.

Yes, there are serious problems with some of the provisions of NCLB, and those need to be fixed. But the suggestion in Chairman Kline's bill, the Student Success Act, that the major fix is to stop requiring that the progress of these children matter in accountability systems is, to put it bluntly, simply unconscionable. Who could possibly think that we will make more progress if the achievement of these children counts for less, which is exactly what this legislation invites.

Don't get me wrong here: Policies themselves don't close gaps and raise achievement. Only the hard work of educators, students, and parents can do that.

But assessment, accountability, and reporting have proven a much-needed source of transparency, pressure, and support. We can't take our foot off the accelerator now; too many lives are at stake.

So what needs to change in the bill?

First, though the draft calls on states to establish standards, there is no requirement that these be pegged to requirements for success beyond high school. This is an invitation to states to do what many have always done: establish standards well below what is actually required for success in college or in careers. Though this practice does damage to all children, it is particularly damaging to low-income students and students of color, who are the most likely to get the minimum expected in their states. We strongly recommend that you insist that the standards provisions in the draft be pegged to the knowledge and skills required for entry into credit-bearing coursework in the state's two- or four-year colleges.

Second, to ensure that all children matter and that the groups of children who are the special focus of federal law get the attention they need to succeed, we recommend that:

- All children in grades three to eight, and once again in high school, be assessed in both reading and math;
- Those results, along with high school graduation rates, be publicly reported, and disaggregated by race, income, English-learner status, and disability;
- States set improvement and gap-closing goals, requiring faster progress for the groups of children who have been behind;
- Those goals be translated into improvement goals for schools and districts; and,
- Performance against those goals, along with other measures of college readiness, be the predominant factor in school rating systems.

I want to stop for a moment there. Unlike what some suggest, accountability isn't about punishment. Good accountability systems set clear goals — goals that stretch our schools and the people in them to attend to the children who need their help, abandon outmoded practices, and make tough choices about what's best for kids.

This is best explained not by me, but by the educators doing the work, day in and day out.

So allow me to share with you the words of Deb Gustafson, the principal at a racially diverse, high-poverty public school in Kansas. This school went from being one of the lowest performing schools in the state to one of the highest. When asked what role accountability played in this transformation, here's what she said:

“These efforts would have been impossible if not for the availability of federal Title 1 monies I was able to reallocate to deliver specialized programs and services to meet the needs of these students. The accountability required of these resources assure we carefully monitor student progress and achievement and make the necessary adjustments along the way.”

Or take Meredith Bang, the director of curriculum and instruction in a small Mississippi district:

“As educators years ago, we took great pride in knowing that a vast majority of the students in our classes, schools, districts, and states ranked high with regard to academic achievement each time score reports were released. We were particularly focused on the percentage of students who did meet or exceed the mark and what we needed to do instructionally to continue in that vein. Then, when No Child Left Behind came on board, the laser focus was on *every* student meeting success at a specified level. Our perspective shifted to placing as much emphasis, if not more, on which students didn't meet the expected achievement mark. With this simple shift of plate tectonic magnitude, we became more reflective practitioners. Collaboratively, we worked to address specific areas for individual growth of students and groups of students for the benefit of each child. Although we have always worked very hard to support every child and his or her specific needs, No Child Left Behind was a segue into the conversation being more focused on the 7 percent who didn't, rather than the 93 percent who did. “

Now I also want to also be clear that while game-changing in many ways, the accountability provisions in current law are in serious need of updating. States are in the process of shifting to new, more rigorous college- and career-ready standards and assessments and need to set new, ambitious — but achievable — achievement goals. Current law focuses on reading and math only, to the exclusion of other measures of college and career readiness; and it focuses on year-to-year proficiency rates, to the exclusion of individual student learning growth over time. Under current law, schools that fall far below expectations for all students are treated the same as schools that are just slightly off target for one group of students. And despite school districts' critical importance to creating the conditions for school success, current law largely ignores them.

These problems need attention. But in making much-needed changes, Congress must be careful to maintain the core expectation of improvement for all groups of students — not just some — and the expectation of action where any group of students is struggling.

This year, the federal government will invest \$15 billion in Title I funds in schools and districts to support their work of improving achievement for underserved students. Federal lawmakers have a responsibility— and taxpayers have a right — to expect results from that investment. And while it may be tempting to say that states — which are closer to districts, schools, and the students they serve — should have full discretion to establish their own accountability systems, history tells us that without a federal backstop, too many states will walk away from their obligation to the most vulnerable students.

That pattern was clear under the 1994 reauthorization of ESEA, when most states ignored the law's requirement to hold schools accountable for the performance of disadvantaged students. Under No Child Left Behind, in setting their graduation rate goals — the one place they had much discretion — most states chose to set exceedingly low goals. And then they didn't hold schools accountable for getting individual groups of students to those low goals. More recently, under ESEA waivers, when given that opportunity by the Secretary of Education, states set goals for individual groups of students but chose not to make those goals matter in the accountability ratings they gave to schools.

So the responsibility of federal policymakers is to allow states the flexibility to devise new, forward-looking accountability systems that meet their unique needs and context, while ensuring we do not go back to a time when low-income kids, kids of color, students with disabilities, and English learners did not count.

But federal policymakers who want to see real improvements, especially among low-income children and children of color, also have a responsibility to ensure that high expectations are coupled with high support. Accountability without resources won't work, just as resources without accountability doesn't produce as much improvement.

While I know that these issues are the primary focus of the other panel this morning, I want to briefly mention two much-needed changes.

First, while there are provisions in the draft requiring districts to include attention to the inequitable distribution of teachers, there is no responsibility for the states to oversee that work. Given the pervasiveness of the problem and the damage that it does to low-income children and children of color every day, it is vital that the states be asked to oversee this work, helping districts know what works and intervening wherever progress is inadequate.

Good teaching matters for all kids, but it matters especially for those who are poor. With several strong teachers in a row, even children who start school way behind can soar. With even two weak teachers in a row, they rarely recover. Yet instead of rushing our best teachers to the kids who come in behind, quickly catching them up to their peers, what do we do as a country? Exactly the opposite of what common sense and common decency would suggest: We assign them our least experienced, least educated, and least effective teachers. Then when they don't perform so well on standardized tests, we blame it all on them or their parents.

We have got to get serious in addressing this problem. In this case, that means adding clear state responsibilities to those the bill lays out for districts.

Second is the matter of financial resources. I don't need to tell you that dollars matter, especially in our highest poverty schools where children's needs are often vast. Yet this bill contains a wolf in sheep's clothing — its so-called "portability provisions" — that take dollars away from the poorest schools and districts to send to the more affluent ones. Sure, on its face, the idea makes sense: Dollars should follow poor children when they move from one school to another, and the truth is that they do — as long as the child transfers from one high-poverty school to another. What is actually proposed here is quite different: that dollars be spread much more thinly across American schools, reducing support for those with the highest concentrations of poverty and increasing it for those with the fewest poor children. That would be a terrible mistake.

All of us at the Education Trust — along with our many partners in the civil rights, disabilities, and business communities — look forward to working with you to improve the Student Success Act. Without changes along these lines, we fear that — a dozen or so years from now, when the epitaph on this law is written — that epitaph will say, simply, “Congress expected less of schools and got exactly what it asked for. The law reduced the signal to schools that all children matter and reduced resources for the schools and districts serving the most vulnerable children. Not surprisingly, progress slowed among the very children who are the focus of federal law: low-income students, students of color, English learners, and children with disabilities.” We know that is not a legacy the members of this committee want; we don’t want that either.