A Positive Agenda for ESEA

Reg Weaver

The National Education Association proposes wide-ranging revisions to fix flaws in No Child Left Behind.

No Child Left Behind (NCLB) is the eighth reauthorization of the Elementary and Secondary Education Act (ESEA), a groundbreaking federal education initiative enacted in 1965 as part of President Lyndon Johnson’s War on Poverty. The National Education Association has strongly supported ESEA since its inception. We also strongly support NCLB’s stated goals—to improve student achievement and help close achievement gaps. These goals are crucial to the health of society.

NCLB, however, is fundamentally flawed. Its principal weaknesses revolve around its one-size-fits-all system for measuring student achievement and school success and its rigid definitions of highly qualified teachers and paraprofessionals. Further, the law is incomplete: It fails to provide the tools and resources that educators and students need to accomplish its stated goals. To help NCLB achieve its goals, the National Education Association proposes the following changes.

Insist on Meaningful Accountability

NCLB’s current adequate yearly progress model fails to accurately measure student learning and school success. The model bases accountability solely on how many students reach a specific proficiency point on one annual standardized test in each of two subjects, reading and math. It fails to account for a school’s results in improving the achievement of individual students over time. Instead it compares snapshots of achievement—for example, test scores for this year’s 4th grade class compared with those for last year’s 4th grade class, a different group of students with different strengths and weaknesses.

NCLB fails to recognize that although all children can learn, all children do not learn in the same way and at the same rate. It fails to provide fair, valid, and reliable achievement measures for students with special needs, including students with disabilities and English language learners (ELLs).

NCLB also fails to differentiate between schools that are truly failing to close achievement gaps and those that have fallen short on only one of 37 federally mandated criteria. Consequently, the law overidentifies thousands of schools as low performing. Several studies project that more than 90 percent of U.S. public schools will eventually fail to meet federal standards and be subjected to sanctions (MassPartners for Public Schools, 2005; Moscovitch, 2004; Public Affairs Research Council of Louisiana, 2004). This overidentification hampers efforts to target already limited resources to the students and schools that actually need assistance.

To address these flaws, we recommend that school accountability systems be based on multiple measures, including local assessments, teacher-designed classroom assessments collected over
time, student portfolios, graduation rates, in-grade retention rates, the percentages of students taking honors classes and Advanced Placement exams, and college enrollment rates.

Rather than being subject to a rigid federal one-size-fits-all system, states should have the flexibility to design accountability systems that produce valid results. For example, they might use growth models and other measures to assess changes in student learning over time and recognize improvement on all points of the achievement scale. States should use measurement results to revise instructional practices and curriculum, to give individual assistance to students, and to provide appropriate professional development to educators—not to penalize teachers or schools.

States should implement assessment systems that are appropriate, valid, and reliable for all groups of students, including students with disabilities and English language learners. We recommend aligning NCLB assessment requirements more closely with students' Individualized Education Plans and eliminating arbitrary federal limits on the number of students who may be given assessments based on alternate or modified achievement standards. We propose exempting ELL students' scores on reading and math tests given in English from adequate yearly progress calculations for at least the students' first two years in the United States (as opposed to one year as stipulated in current regulations), while continuing to require that schools annually assess ELL students' progress in building English language proficiency.

Federal law should encourage states to create comprehensive, flexible standards that do not narrow the curriculum. These standards should incorporate the nature of work and civic life in the 21st century. Students need high-level thinking skills and global understanding, as well as sophisticated information, communication, and technology competencies. As the Partnership for 21st Century Skills—a leading advocacy group that brings together the business community, education leaders, and policymakers (including NEA)—stated,

> Standards that reflect content mastery alone do not enable accountability and measurement of 21st century skills. And without a comprehensive, valid system of measurement, it is impossible to integrate these skills effectively into classroom instruction or monitor whether students have mastered the skills necessary for success in life and work today. (n.d.)

Accountability systems should provide support and assistance to schools and districts most in need of improvement, as well as realistic timelines for reaching improvement goals. If a school fails to demonstrate that it is closing achievement gaps after receiving additional financial assistance, technical resources, and other supports, then the state should provide supportive interventions.

Other necessary corrections to NCLB include giving schools and districts more than one year to implement improvement plans before subjecting them to additional sanctions; designating schools or districts as "in need of improvement" only when the same subgroup of students fails to make adequate yearly progress in the same subject for at least two consecutive years; targeting school choice and supplemental educational services (SES) to the specific subgroups that fail to make adequate yearly progress; allowing schools to offer SES before providing school choice; and improving the quality of supplemental education services, ensuring that SES providers serve all eligible students and use only highly qualified teachers.

**Support Quality Educators in Every Classroom**

A growing body of research confirms what educators know: The skills and knowledge of teachers and support professionals are the greatest determinant of how well students learn. Although NCLB appropriately sets as a goal that every student should be taught by a highly qualified teacher, its specific mandates fail to recognize the diverse nature of schools and teaching assignments. For example, its requirement that every teacher demonstrate competence in each subject that he or she teaches has created problems for certain categories of teachers, such as
special education teachers who teach in self-contained classrooms.

We propose that the “highly qualified” teacher definition be revised to respect state licensure and certification systems and to eliminate requirements that create unnecessary obstacles for talented and skilled teachers. The re-authorization should also eliminate loopholes in the scope of coverage for some charter school teachers, alternative route teachers, and supplemental education service provider instructors.

Federal policy should provide states and school districts with the resources and technical assistance to create effective programs of professional development and professional accountability for all employees. Specifically, we propose revising ESEA Title II—the Teacher Quality State Grant program—to align federally funded teacher professional development with National Staff Development Council (NSDC) standards, which attempt to ensure that professional development programs focus on

- What all students are expected to know.
- What teachers must know and do to ensure student success.
- How staff development can meet both goals (NSDC, 2001).

We also propose federally funded salary enhancements for teachers who achieve National Board certification, with a smaller salary incentive for teachers who complete this rigorous process and receive a score but do not achieve certification.

Our second set of proposals revolves around ways that NCLB can help create the conditions in which educators can apply their knowledge and skills most effectively to help students learn. Implementing these proposals would reduce the costly and disruptive staff turnover common in struggling schools.

For example, federal grants should support innovation in addressing teacher workload issues, especially in struggling schools. These grants should allow districts and schools to experiment with such proposals as pairing a new teacher in a classroom with an experienced teacher who receives additional compensation to induct and mentor the new teacher.

Federal grants should also be directed to providing education support professionals with opportunities to broaden and enhance their skills and knowledge through training and professional development, mentoring, and programs designed to support them as they assist classroom teachers. Paraprofessionals should be compensated for taking additional courses or doing coursework for advanced degrees.

Federal support should place a priority on helping hard-to-staff schools provide training for administrators and support professionals, including para-educators, counselors, social workers, psychologists, and clerical staff. Teachers and support professionals in these schools should have access to targeted professional development focused on the specific needs of the school and community.

The third set of proposals focuses on distribution of the educator workforce to ensure that all schools, no matter how challenging, can recruit high-quality education professionals. We propose giving financial incentives—both direct federal subsidies and tax credits—for retention, relocation, and housing to teachers and support professionals who commit to working for at least five years in high-poverty schools or schools identified as in need of improvement.

Promote Smaller Class Sizes

Class size directly influences student achievement. Smaller classes allow more time for teaching and more individualized attention for students. The preponderance of research indicates that learning increases as class size decreases, especially in the early grades, for minority and low-income students, and for students with exceptional needs. (Health and Education Research Operative Services, 2003). NEA recommends an optimum class size of 15 students in regular
programs, especially in the early grades, and a proportionately lower number in programs for students with exceptional needs, including students with disabilities and English language learners.

During the Clinton administration, Congress provided a total of $4.1 billion in grants to states and school districts to help local schools hire 100,000 qualified teachers, with the goal of reducing class size in grades 1–3 to a national average of 18 students per class. School districts were encouraged to target resources to schools with the highest average class sizes and to students most in need of more individualized instruction. To ensure that newly hired teachers were qualified, school districts used up to 25 percent of the funds for providing professional development to both newly hired and experienced teachers.

Unfortunately, NCLB eliminated this direct funding stream for class size reduction by combining this program with professional development programs for teachers. The new Teacher Quality State Grant program, after receiving an initial boost of funds in FY 2002, has failed to provide schools with the resources needed to either hire additional teachers or expand professional development programs. Indeed, Congress is poised to cut funding for this teacher-quality program by as much as 10 percent in FY 2007. NEA supports restoring the Class Size Reduction Program that existed before NCLB.

Enhance Family and Community Involvement

NCLB contains fairly positive requirements for parental involvement. Section 1118 of the law stipulates that every school district and every school receiving Title I dollars must have a written parent-involvement policy and must build school capacity to effectively implement that policy. Unfortunately, this section contains no specific enforcement provision, and the U.S. Department of Education has not devoted enough attention to ensuring that schools take it seriously.

Federal policy should bolster parent and community engagement through more effective implementation of the parent and community engagement requirements. The U.S. Department of Education needs to support partnerships among Title I schools and their communities to improve student academic achievement; provide materials and training to help parents work with their children at home; and support programs to help parents of Title I children understand standards, assessments, and how to work with educators to improve their children's achievement.

Time and availability are two obvious challenges to parental involvement. Employers should receive incentives or be required to provide parents a reasonable amount of leave to participate in their children's school activities. In addition, NEA believes that federally funded professional development programs should require training in the skills and knowledge needed for effective parental and family communication and engagement.

Provide Adequate Resources

When Congress enacted NCLB, it promised to provide the resources necessary to meet the law’s many mandates and aims. Unfortunately, NCLB has never been funded at the authorized levels. After an increase in the first year (FY 2002), funding for NCLB programs has declined. States and school districts are now facing unfunded mandates, cuts in resources, and no federal funds to turn around low-performing schools.

For example, in 2005–2006, two-thirds of all school districts received less Title I money than they did the previous year. In 2006–2007, an additional 62 percent of school districts have had their Title I funding cut—most for the second consecutive year—because Congress reduced overall Title I funding (Fagan, 2006).

Among other proposals, NEA supports fully funding ESEA programs at their authorized levels so states and schools have adequate funds for programs needed to help close achievement gaps. We also support enforcing Section 9527(a) of NCLB, which prevents the federal government from...
requiring states and school districts to spend their own funds to implement federal mandates. Many school districts, several states, the American Association of School Administrators, and other state and local officials have joined NEA in this position.

**Replace Punitive Mandates with Positive Support**

Now we approach the next reauthorization of the Elementary and Secondary Education Act. We should keep the law's positive provisions, such as its focus on closing achievement gaps through disaggregating student achievement data. At the same time, Congress needs to reconsider the current focus, which labels and punishes schools through a flawed, one-size-fits-all accountability system and burdens states with severely underfunded mandates. We need to move toward a system based on commonsense flexibility, whose policies promote improved student learning, reward success, and provide meaningful assistance to schools most in need of help. We must let nothing stop our efforts to ensure that educators have the tools and resources they need to do the important job of preparing our children to live productive and successful lives.

**References**


---

*Reg Weaver* is President of the National Education Association, 1201 16th Street, NW, Washington, DC 20036; 202-822-7000; [RegWeaver@nea.org](mailto:RegWeaver@nea.org)

---

Copyright © 2006 by National Education Association

© Copyright ASCD. All rights reserved.