

U.S. DEPARTMENT OF EDUCATION

Testimony by

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on

No Child Left Behind

A Blueprint for Education Reform

before the

House Committee on the Budget

Jim Nussle
Chairman

March 13, 2001

Mr. Chairman and Members of the Committee:

Thank you for this opportunity to testify on behalf of *No Child Left Behind*, President Bush's plan to strengthen our elementary and secondary schools and close the achievement gap, and to discuss the President's 2002 budget for education.

I want to begin by noting how troubled I was by the recent shootings at Santana High School in Santee, California. Violence is threatening to become endemic in our schools, and we must work much harder to recognize the warning signs and prevent future incidents. *No Child Left Behind* includes proposals designed to strengthen the ability of schools and teachers to prevent violence in our schools, and would provide flexible Federal resources to help make our schools safe and drug-free. Ultimately, however, parents, students, and teachers must learn to heed the warning signs of violent behavior, to take the threat of violence seriously, and to take appropriate action before a student shows up at school with a gun.

Turning now to the subject of this hearing, I am pleased and proud that President Bush has made education his top priority. He announced *No Child Left Behind* in his first week as President, and he has given the Department the highest percentage increase of any Cabinet agency in his first budget. Our commitment to providing a first-class education to all our children is clear, and I look forward to working with each of you over the coming months as we make the changes needed to help reach this goal.

Before I get into the details of the President's proposals, I want to make a few observations. First, *No Child Left Behind* is, as the President has described it, "a framework from which we can all work together—Democrat, Republican, and Independent—to strengthen our elementary and secondary schools." This means that within the context of principles like State-determined high standards for all, accountability for results, choice for parents and students, and flexibility for schools and teachers, we are open to your ideas on how to meet our shared goals.

Second, *No Child Left Behind* builds very deliberately on existing efforts at the Federal, State, and local levels to use standards, assessments, accountability, flexibility, and choice to improve the quality of education for all of our children. Indeed, the President's proposals are the logical next step following the changes made in the 1994 reauthorization of the Elementary and Secondary Education Act (ESEA). We are not asking States and school districts and schools to drop everything they are doing and start over, but to pursue more vigorously the kinds of changes they are already making.

At the same time, we cannot ignore the need for real change in America's schools. While the 1994 reauthorization took some tentative steps in the right direction, it did not go nearly far enough. If you doubt that the present approach is broken and needs fixing, just consider that nearly 70 percent of inner-city fourth-graders are unable to read at even a basic level on national reading tests. Or that our high school seniors trail students in most industrialized nations on international math tests. Or that nearly one-third of our college freshmen must take remedial courses before they can begin regular college-level coursework.

And across all levels there is an unacceptable achievement gap between disadvantaged and minority students and their more advantaged peers. For example, on the latest National Assessment of Educational Progress in 4th grade reading, 73 percent of white students performed at or above the basic level, compared with just 40 percent of Hispanic students and only 36 percent of African American students.

Our system of elementary and secondary education is failing to do its job for far too many of our children—a failure that threatens the future of our Nation, and a failure that the American people will no longer tolerate. It is just as clear that Federal education policy is not accomplishing its goals, despite the investment of more than \$130 billion and the creation of hundreds of categorical programs over the past three decades. More often than not, in fact, it is precisely this bewildering array of Federal programs, regulations, and paperwork that gets in the way of promising reforms at the State and local levels. These bureaucratic controls promote a culture of compliance, not real accountability measured by improved student achievement.

It is time to stop funding failure and promoting a culture of compliance and start building a culture of achievement and accountability in our education system. To do this we need to learn from States and school districts across the country that have made remarkable progress in turning around failing schools, raising student achievement, and closing the achievement gap. We need to bring to Federal education programs many of the strategies that have worked so well at the State and local levels: increased accountability for student performance, a focus on research-based practices, reduced bureaucracy and greater flexibility, and better information to empower parents.

No Child Left Behind provides a blueprint for accomplishing this goal, a blueprint that we believe should guide the upcoming reauthorization of the Elementary and Secondary Education Act. To provide the resources needed to implement this blueprint, the President's budget for fiscal year 2002 includes \$44.5 billion for the Department of Education, an 11.5 percent increase in budget authority and an increase of \$2.5 billion or 5.9 percent over the 2001 program level. This budget also reflects the President's commitment to a balanced fiscal framework that includes more reasonable and sustainable growth in discretionary spending, protection of Social Security, retiring a significant proportion of the national debt, and tax relief for all Americans.

CLOSING THE ACHIEVEMENT GAP

President Bush believes that the Federal government can, and must, help close the achievement gap between disadvantaged students and their peers. The primary means toward this goal is to spend the \$9 billion Federal investment in Title I more effectively and with greater accountability.

Our proposal would build on current law by adding science and history to the existing requirement for States to set high standards in reading and mathematics for Title I students. State assessments would continue to be required only for reading and math, but would be conducted annually from grades 3-8, instead of the current law requirement for testing only twice during these critical formative years. The President's budget will include funding to support the

development and implementation of these new assessments. Current requirements for testing students in grades 10-12 would be preserved.

I can tell you from my own experience that there is simply no substitute for annual information on how well students and schools are performing. Children in good schools make remarkable progress during these early grades, and we cannot afford to wait three or four years to find out that some students have fallen behind. Where there are problems, they must be discovered and addressed immediately, an approach that can only be accomplished with the information provided by annual testing.

Contrary to complaints about “teaching to the test,” or too much testing, I believe that teaching and testing are two sides of the same coin that we call education. A major part of our current failing is because we have been using only one side of the coin, based on the flawed notion that we do not need to know where students are academically in order to teach them. The reality is that there is simply no other way to find out whether students are learning and teachers are doing their jobs. Many who say that testing is the problem, rather than lack of learning, are really suggesting that we lower our expectations because some kids can’t learn. I reject that because I know from my experience in Houston that it just isn’t true. We need to set clear goals for performance and help our schools get the job done. The alternative is to continue to rob millions of poor and disadvantaged young Americans of their futures by failing to provide them an effective education.

The important thing about testing, of course, is what we do with the results. We would start by helping teachers learn to use data effectively. Secondly, we would require schools to report assessment results for all students to parents and the public. School districts would use these results to make sure that all schools and students are making adequate yearly progress toward State content and performance standards, and that no groups of students are left behind.

Our proposal would strengthen the Title I accountability process. Current law requires identification of Title I schools for improvement after two years of failing to make adequate yearly progress. We would identify schools for improvement after just one year of failing to meet State standards. Roughly half of schools currently identified for improvement have received no additional assistance from their State or district. We would require States and school districts to provide technical assistance grounded in scientifically based research. The President's budget will provide additional funding for State and local efforts to turn around low-performing schools.

If the school still has not improved after two years, it would be identified for corrective action and subjected to more comprehensive measures, such as implementation of a new curriculum, intensive professional development, or reconstitution as a public charter school. While such measures are underway, students would be given the option of attending another public school not identified for improvement or correction.

Only after all these efforts, and following three full years of poor performance—during which time a student may well have fallen behind a grade or two—would we use Federal funds

to help that student find a better education at a private school. We are proposing to permit the use of Title I funds to help students transfer to a higher performing public or private school, or to obtain supplemental educational services from a public- or private-sector provider.

The President also is proposing a system of rewards for success and sanctions for failure at both the State and local levels. Once accountability systems are in place, a new fund will reward States and schools that make significant progress in closing the achievement gap. At the same time, States that fail to put in place the required standards, assessments, and accountability systems, or that fail to make adequate yearly progress and narrow achievement gaps, would be subject to losing a portion of their Title I administrative funds.

Taken as a whole, these proposals reflect what I believe is a strong consensus, both within the Congress and among the American people, that States, school districts, and schools must be accountable for ensuring that all students, including disadvantaged students, meet high academic standards. At the same time, we recognize that it is unfair to demand accountability without enabling success. This is why the other major components of *No Child Left Behind* are aimed at giving States, school districts, schools, teachers, and parents the tools and flexibility to help all students succeed.

EMPOWERING PARENTS WITH CHOICES

President Bush believes that one of the best ways to improve accountability in our schools is to give parents the information and options needed to make the right choices for their

children's education. This is why, for example, our accountability proposals include school-by-school report cards and give students in failing schools the option of transferring to a better school. In addition, the President's budget would expand educational choice through \$150 million in new funds to help charter schools acquire, construct, or renovate educational facilities. We also are proposing to expand the limit on annual contributions to Education Savings Accounts from \$500 to \$5,000. Parents would be able to withdraw their funds tax-free to pay educational expenses from kindergarten through college.

EXPANDING FLEXIBILITY AND REDUCING BUREAUCRACY

The Federal government has recognized in recent years that it is possible to achieve better results by reducing regulations, paperwork, and bureaucracy and giving States and communities the flexibility to create their own solutions to problems in areas like education, health care, and protecting the environment. In education, for example, the 1994 ESEA reauthorization greatly expanded eligibility for Title I schoolwide programs, which permit schools enrolling at least 50 percent poor students to combine Federal, State, and local funds to improve the quality of education for all students. Congress also created and expanded the ED-Flex Partnership program, which gives participating States the authority to waive Federal statutory and regulatory requirements in exchange for greater accountability for improving student achievement.

No Child Left Behind would build on these earlier efforts to expand State and local flexibility in the use of Federal education funds. For example, we would lower the poverty threshold for schoolwide programs from 50 percent to 40 percent, thereby enabling thousands of

additional schools to use Title I funds to upgrade the entire school. We would coordinate education technology programs to reduce the paperwork burdens of submitting and administering multiple grant applications serving nearly identical purposes. We would consolidate overlapping and duplicative grant programs and let States and districts decide how to use their share of the single grant resulting from this combination of Federal funds.

We also would create a Charter Option for States that would offer freedom from the current requirements placed on categorical program funds, in return for submitting a five-year performance agreement that includes specific and rigorous goals for increased student performance. This Option is intended for States on the cutting-edge of accountability and reform in education, those that have already established tough accountability systems and demonstrated real gains in student achievement. States would be sanctioned for failing to comply with their performance agreement, and would lose their charters if student achievement did not improve.

President Bush's 2002 budget also would expand flexibility by giving States the authority to redirect the \$1.2 billion provided for school renovation in the fiscal year 2001 appropriation. In addition to renovation of academic facilities, States would be permitted to allocate even more of their 2001 school renovation funds to special education and educational technology than is currently allowed. For 2002, the President is proposing to redirect these resources to other priority programs to help States meet their most pressing needs, including special education, turning around low-performing schools, and accountability reforms. While renovation and construction are needed in many areas, the limited grant funds will not make a significant dent in a problem that the National Center for Education Statistics has estimated would cost at least

\$127 billion to remedy. Instead, I believe State and local governments must take responsibility for financing school repair and construction. The President proposes to help school districts meet these demands by allowing States to issue tax-exempt private activity bonds for school construction and repair.

SUPPORTING IMPROVEMENT IN KEY AREAS

Other proposals contained in No Child Left Behind are aimed at supporting State and local efforts in specific areas like reading, teacher quality, math and science, safe schools, and technology.

Our Reading First program would invest \$900 million in scientifically based reading instruction in the early grades, with the goal of creating comprehensive, statewide reading programs to ensure every child is reading by the third grade. The President's budget also includes \$75 million to help prepare young children to read in existing pre-school programs.

Our Title II Grants for Improving Teacher Quality proposal would consolidate the Class Size Reduction and Eisenhower Professional Development programs into a flexible, performance-based grant program for States and school districts. The President is requesting \$2.6 billion in 2002 funding for the new consolidated program. Most of these funds would be used to strengthen the skills and knowledge of public school teachers, principals, and administrators. The program also would support innovative teacher recruitment and retention practices, including bonus pay for teachers in high-need subject areas and in high-poverty

districts and schools. In return for the flexibility provided by the program, States and districts must use Federal funds to promote effective, research-based classroom practices, ensure that all children are taught by effective teachers, and disclose to parents information about the quality of their child's teachers.

The Title V drug and violence prevention and education program would turn the Safe and Drug-Free Schools and Communities program and the 21st Century Community Learning Centers program into separate State formula grants for before- and after-school learning opportunities and violence and drug-prevention activities.

The new, streamlined grants would reduce administrative burdens, give school districts greater flexibility in developing programs that address school safety—a major concern of parents and students alike, and support improved academic achievement. Participating States would be required to develop a definition of a “persistently dangerous school,” to report on school safety on a school-by-school basis, and to offer both victims of school-based crimes and students attending unsafe schools options for transferring to safer schools. The President also would expand the role of faith-based and community organizations in after-school programs, and his budget would triple funding for character education to \$25 million in 2002.

Our grants for education technology proposal would consolidate several existing and duplicative technology programs and reduce paperwork and other administrative burdens while directing more funds to the classroom. Funds would be targeted to high-need schools, including rural schools, and could be used for a wide range of activities, including the development or

purchase of software, wiring and other infrastructure, and training teachers to use technology effectively in the classroom.

All of these proposals adhere to the core principles of *No Child Left Behind* by expanding flexibility, reducing bureaucracy, and increasing accountability. In each case, the new flexibility provided to States, school districts, and schools is appropriately balanced by performance agreements that will ensure that program purposes are achieved, particularly for poor and minority students living in high-need districts.

OTHER BUDGET PRIORITIES

The details of the President's 2002 budget for education will be released on April 3. There are two priorities, however, that I would like to mention briefly today. The first is special education. We remain committed to helping States meet their obligations under the Individuals with Disabilities Education Act, and the President's budget will provide increased funding for the Part B Grants to States program.

The second priority is funding for Pell Grants, the foundation of Federal student financial assistance for postsecondary education. The 2002 budget includes a \$1 billion increase for Pell Grants to raise the maximum award for all students and provide more need-based grant aid to low-income college students.

CONCLUSION

The education reform proposals contained in No Child Left Behind, combined with the President's 2002 budget for education, support a comprehensive vision for closing the achievement gap and improving the quality of education for all Americans. I urge you to give these proposals your most careful consideration, and I stand ready to answer any questions you may have.