

Public involvement. Public education. Public benefit.

March 26, 2010

The Honorable George Miller
Chairman
House Education and Labor Committee
2181 Rayburn House Office Building
Washington, D.C. 20515

The Honorable John Kline
Ranking Member
House Education and Labor Committee
2101 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Miller and Ranking Member Kline:

**Comments of the Public Education Network on
The Reauthorization of the Elementary and Secondary Education Act**

“A diverse system of good schools, like its major alternative of centrally driven systemic reform, requires critical realism about the base capacity available to initiate reform in a district and the new capacities that must be developed to sustain and extend these initial efforts over time. . . . It must blend a coherent theory for improving schools (and establishing new ones) with a relationship-building strategy that expands social resources for individual schools, and builds trust up and down the system as well as out into the larger community.”¹

Public Education Network (PEN) thanks you for this opportunity to submit comments related to the reauthorization of the Elementary and Secondary Education Act (ESEA), and provide the recommendations of Public Education Network. We wish the Committee to note that these comments are not a direct response to the U.S. Department of Education’s Blueprint, but come from over three years of PEN public hearings, PEN member input, and from PEN’s new strategic plan focused on college access and career readiness.

PEN is a national network of 76 local education funds (LEFs) that advance public school reform in urban and rural low-income communities across our country. LEFs serve 8 million children in 33 states including the District of Columbia and Puerto Rico. In addition, PEN has expanded its work internationally to include members in Mexico, Peru, the Philippines, South Africa, and Tanzania.

If ESEA and the education stimulus-generated reforms such as Race to the Top and Investment in Innovation are to be transformational, PEN believes an active, vocal constituency at all levels of government is the key to support, monitor, fund, and sustain those changes for all children, **especially those children in low-income and minority**

¹ “Organizing Schools for Improvement: Lessons from Chicago, by Anthony S.” Bryk, Penny Bender Sebring, Elaine Allensworth, Stuart Luppescu and John Q. Easton, University of Chicago Press, 2010, p. 220.

communities, whether those be urban or rural. Because local education funds represent a broad range of community interests at the school district and community level, they are well positioned to bring together the various community stakeholders and citizens in demanding high performing public schools for all students, not just those who win the federal competitive grants. In addition, they can build the civic and academic capacity in advocating for equity, demand public accountability based on meaningful and “deeper” data beyond test scores, close the achievement gap, implement and support best practices, and prepare students who are college and career ready.

Among the functions that LEFs perform are:

- creating momentum for innovation
- building community capacity and school infrastructure
- generating knowledge
- utilizing data
- building models for high school reform and college access
- developing teacher and principal leadership programs such as urban residency initiatives
- creating community learning centers
- promoting school climate and whole child initiatives, and
- partnering in programs such as STEM, parental involvement, summer learning, Trio, Gear-Up, and Full Service Community Partnership efforts among other supports that

At the core of the network’s mission is a commitment to:

Increase the rate of low-income minority students graduating from public schools ready for college and a career over the next five years based on a set of network-wide measures in the communities that PEN LEFs serve.

We commend that this vision be embedded in the next ESEA reauthorization for all students and school districts, and believe that it should be the goal that drives this next phase of national education policy. PEN recognizes and appreciates the intentions of this Committee to tackle fundamental education issues that we know create obstacles for many of our children and families from experiencing the full benefits of citizenship in a democracy, and to move beyond the current flaws of NCLB to address the achievement gap, high school dropout, college access, career readiness, teacher quality, school capacity, quality preschool, and resources. We also encourage the Congress to pass ESEA reauthorization this year.

General Comments:

Since local education funds view increasing the number of college and career ready low-income students as a community and public enterprise, they do not take a cookie-cutter approach to change.² Rather, they apply a deep knowledge of local context, data driven

² “Taking Responsibility: using Public Engagement to Reform Our Public Schools,” Public Education Network, 2004.

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decision making, accountability for results, research, local needs assessment, funding, and constituency building to change, transform, and sustain improvement efforts.

As PEN comments on ESEA, our lens will focus on a number of elements that cut across all aspects of change and improvement that, if not addressed at all levels of public education, would greatly diminish the next version of ESEA to improve the most difficult schools, and increase the number of students that are career and college ready. These include:

- increased **capacity and infrastructure** at the state and local level to provide **the needed school, staff, and student supports** in achieving increased college access and career readiness rates, especially for schools that are identified as low performing or struggling
- **a richer and deeper pool of data** that not only focuses on test scores, but other measures that contribute to the academic success of students, along with the **more effective uses of that data**
- **an accountability system that is research-based with multiple measures and a focus on incentives**, rather than prescription and is **shared among the various stakeholders** at all levels
- **recruitment, retention, and development** of the most highly qualified teachers and principals to lead the most difficult and struggling schools
- **greater federal support and leadership** in areas of research and identification of best practices and coordination of federal research such as the labs, centers, comprehensive technical assistance agencies, and the PIRCs
- **increased allowance for local flexibility** that recognizes community, school, and student differences, and **coordination of categorical programs** that lead to more efficient and effective use of resources based on student needs
- **community engagement** that serves as **an integral part of school district transformation and reform**, that builds the civic capacity and ownership to demand change, holds schools accountable, shares responsibility for quality public schools, and sustains efforts, and
- **parent connections** are critical to closing the achievement gap, contributing to increased academic achievement, and holding schools accountable, regardless of parents' education level, ethnicity, or socioeconomic background^{3 4}

³ We cannot emphasize enough that the terms *family engagement* from *public engagement be used separately*; While these terms are now often combined because engagement has become so important, they are not necessarily synonymous and constitute different stakeholders requiring different strategies, even though parents should always be included as citizens and an integral subset of the public. (See definition of each as contained in a draft of a bill known as the DIPLOMA Act (see attachment)



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⁴Henderson A. and Mapp, K. (2002). *A New Wave of Evidence: The Impact of School, Family, and Community Connections on Student Achievement*. Southwest educational Development Laboratory.

Houtenville, A. and Conway, K. (2008). *Parental Effort, School Resources, and Student Achievement*. *Journal of Human Resources*, XLIII, 2. Pp-437-53.

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In our view, these elements constitute the pathway of addressing the conditions of getting students where they currently are to assuring that they graduate college and career ready. We believe in the four assurances as reflected in the stimulus programs, but do not believe these strategies alone will necessarily reduce the dropout rate and prepare students for college or careers. Effective school reform needs to be a “bottom-up” as well as a “top-down” enterprise. In others words, district and state level policy need to be developed to support change. At the same time, schools and districts need to demonstrate how reform improves school life and student outcomes.

We also believe that, as opposed to the passage of NCLB, the public be informed, involved, and engaged in the reauthorization and the legislative process up through the signage of the newly reauthorized bill. Public education should not be a political football, but the next phase of ESEA reauthorization should strive to build public ownership and community support across partisan lines. It should be a social contract with the American public and educators that align public education institutions with the values, aspirations and the civic responsibility that we all have related to the success of our democracy and the building of quality public school districts for all of our students. When passed, this new ESEA should be celebrated as a collective effort that links our politicians, the education profession, and the public.

To paraphrase the poet Seamus Heaney, “there comes a time in history when moral purpose and self-interest meet. Politicians will have to take the first step.”⁵ That means that the less than healthy relationships between governments, unions, parents, the public, stakeholders, and school boards built up over time by NCLB will have to be recognized and repaired. And that the next phase of ESEA must concentrate on creating a more equal public school system driven by developing policies that are focused on building the know-how and providing the opportunities BEFORE students fail, rather than based on a model of intervention AFTER students fail. Developing an “asset model” of success rather than a “deficit model” of intervention by establishing a system of continuous development, community learning, opportunity, accountability, transparency, resources, equality, and a public demand for improved public schools is a compelling, intertwined set of policies where everyone wins, especially students. Right now, we are not there. That said, the federal government has vital roles in improving the quality of education and gaining real equity for all students.

NCLB does not need “tweaking.” It requires a major overhaul. While the goals of NCLB are laudable, the current system of education and schooling created at the turn of the 20th century is not the right design to assure that every child is college and career ready. “Major changes in school organization and the systems in which they sit are needed to accomplish,” says education leader Linda Darling Hammond.⁶ For the most part, NCLB created “new

⁵ “All Systems Go: The Change Imperative for Whole System Reform,” Michael Fullan, Corwin Press, 2010, p. 95.

⁶ “The Flat World and Education: How America’s Commitment to Equity Will Determine Our Future,” Linda Darling-Hammond, Teachers College Press, 2010, p. 237.

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standards, which surfaced the old inequalities, and as a result the focus on testing narrowed the curriculum and expanded the opportunity gap.”⁷ To assure that all children, and especially those that are trapped by the old school designs of race and equality requires much more than quick fixes such as firing teachers and principals wholesale, providing competitive grants to the few, linking outdated testing measures to teacher performance, and maintaining the old structures of schooling. Under NCLB, our aspirations were 21st century, but our school designs were 20th century---and the result were systems crashes with educators and students caught in the middle of a law not based on evidence or research, but on politics and compliance. The new ESEA has to look vastly different than the old ESEA if our operations are to match our aspirations for our lowest income students.

And lastly, PEN would oppose turning the current Title I formula program into a competitive grant program. While competition might work in the private sector, assuring that ALL children receive equitable resources is a public value. Competitive grant programs turn education opportunity into winners and losers, creates further funding inequities, do not assure that federal resources would go to the neediest and most disadvantaged children, and benefits those school districts that have sophisticated grant writing capacity. Competition is anathema to assuring equal educational opportunity for all; rather competitive grants would mean more opportunity for some and less than others. What would make more sense would be to allocate ESEA dollars on the basis of weighted factors such as poverty, differentiated salaries for teachers and principals who work in the most difficult schools, and other resource equalization strategies.

In the speech that President Lyndon Johnson gave at his one room school house in Johnson City, Texas on April 11, 1965 unveiling the Elementary and Secondary Education Act, he reminded the country of both the need for bipartisanship in education, and the underlying purposes of ESEA: to increase equality and confront poverty. “Now, within the past 3 weeks, the House of Representatives, by a vote of 263 to 153, and the Senate, by a vote of 73 to 18, have passed the most sweeping educational bill ever to come before Congress. It represents a major new commitment of the Federal Government to **quality and equality** in the schooling that we offer our young people. From our very beginnings as a nation, we have felt a fierce commitment to the ideal of education for everyone. It fixed itself into our democratic creed. I predict that all of those of both parties of Congress who supported the enactment of this legislation will be remembered in history as men and women who began a new day of greatness in American society.”⁸

One could hardly ever imagine that President Johnson would have considered allocating resources competitively, a formula for inequality, rather than on an equal educational opportunity upon which ESEA was based. Rather, the focus should be reducing the allocation disparities that currently exists in Title I state and local formulas and providing the intense resources necessary to match ESEA aspirations with state and local capacity. The Education Equity and Opportunity Commission as included in the FY 2010 Labor, Health

⁷ Ibid, Chapter 3, p. 66

⁸ Speech by President Lyndon B. Johnson given in Johnson City, Texas, April 11, 1965 upon signing the Elementary and Secondary Education Act, Papers of President Lyndon Baines Johnson from the LBJ Library.

and Human Services Appropriations Bill and sponsored by Rep. Mike Honda (D-CA) provides another vehicle to examine issues of local, state and federal funding equities.

PEN Recommendations:

As the House Education and Labor Committee contemplate drafting ESEA bill language, PEN recommends the following asking the Committee to keep in mind our goal (and I presume that of the White House and Congress) of increasing the number of low-income students who are college and career ready:

Longitudinal Data Systems

Graduation rate goals and continuous and substantial improvement

Measures: Student Tracking Data Essential

PEN believes that as the nation focuses its attention on increasing college access and career readiness, there needs to be **a data set and framework that is consistent across the states**. PEN believes that by starting at least by the 9th grade, states and local school districts follow-up on each student, data and information that demonstrates that the student is on the right track related to course work, achievement, and skill building preparing the student for college and a career. This information should be continuously tracked and provided to the student and parents, as well as coded and provided to the public in an annual school district progress report.

In addition, PEN believes that the current state-set graduation rate goals and growth targets are weak and meaningless in many cases. Currently, there is no requirement that states set meaningful goals or growth targets beyond the “continuous and substantial” language in the regulations. Further, the proposed regulations do not state that the goals and growth targets will be consistent state to state which is critical for transparency and comparability of graduation rates. PEN recommends that the following graduation data be compiled consistent across the states in each community: serving the students:

- % increase and number of additional low-income/minority 9th graders who graduate college and career ready in 4 years.
- % increase and number of additional low-income/minority students on-track to be college and career ready
- % increase and number of additional low-income/minority students participating in key college and career ready courses and programs
- % increase and number of additional low-income/minority students being taught by effective teachers

We recommend that if the Secretary is not given the legal authority to establish graduation rate goals and growth targets, then the regulations should indicate more clearly what standards states will be expected to meet. Such standards should include high, ambitious end goals and growth targets both in the aggregate and disaggregated. The regulations should also indicate that such standards will apply consistently state to state. Further, we urge the Secretary to require states to use more transparency in proposing their graduation rate goals and growth requirements. To these ends, we make the following recommendations that are included in the Every Student Counts Act⁹:

- require a consistent and accurate calculation of graduation rates across all fifty states and the District of Columbia to ensure comparability and transparency;
- require that graduation rate calculations be disaggregated for both accountability and reporting purposes to ensure that school improvement activities focus on all students and close achievement gaps;
- ensure that graduation rates and test scores are treated equally in or accountability purposes;
- require aggressive, attainable, and uniform annual growth targets as part of AYP to ensure consistent increases in graduation rates for all schools;
- while maintaining the expectation that most students in four years, recognize that a small number of students take longer than four years to graduate and give credit to schools, school districts, and states for graduating those students; and
- provide incentives for schools, districts, and states to create programs to serve students who have already dropped out and are over-age or under credited.

PEN recognizes that it will take time to build the national and state infrastructure to compile, process, validate and disseminate such a framework. In the meantime, however, the states should disseminate to the public the information it already has related to graduation rates and college access information, despite the inconsistency of the information. In addition to the \$350 million promised to the states in Race to the Top money for states that adopt the common standards to develop assessment systems, additional federal funding should be made available to states to track graduation information through incorporating The Every Student Counts Act (ESCA), S. 618 and HR 1559.

Exit Coding Data

As students progress through and out of a school system, districts and states should attach an exit code to each student's record. That code determines—among other things—how he or she is counted in the graduation rate calculation, including defining a cohort of students. While some states have only a few exit codes, such as “dropout”, “transfer”, and “graduate”, the National Forum on Education Statistics has found that some states have upwards of fifty different ways of categorizing students. In some cases, students who exit the system in ways that should make them dropouts for the intended purpose of the proposed graduation rate regulations (e.g., they have enrolled or plan to enroll in a GED program, have been incarcerated, or have left without reporting a reason) are instead placed in separate categories

⁹ Every Student Counts Act, S. The Every Student Counts Act (ESCA), S. 618 and HR 1559, 111th Congress.

such as “administrative withdrawal” or “no data available”. In some cases, this means that students may be miscounted in the graduation rate or sometimes not counted as either dropouts or graduates—for the purposes of the graduation rate calculation, they simply cease to exist. While the use of exit codes is entirely state, and/or district-driven, the practice further masks the accuracy of graduation rates and contributes to a lack of comparability between rates. The new ESEA should address how states should reconcile existing exit code policies in the calculation of the required graduation rates. We recommend that the regulations require states to propose for Secretarial approval their exit coding policy to ensure the use of exit codes does not undermine the accuracy, comparability and transparency of rates.

Community Engagement Data

PEN also recommends that state and local school districts report on the following community engagement data pertaining to:

- How did the local education agency involve the community (including any existing Local Education Fund, P-16 Council, and similar entities) in setting priorities for use of ESEA funding?
- How did the state and local education agencies disseminate and explain the data to the community (i.e. through community forums, internet, telephone, handouts, and other means)?
- How did the local education agency receive and integrate community input in developing a plan of action to improve schools based upon the data disseminated? In what ways will the community continue to provide meaningful input into implementation of the plan of action going forward?
- In what ways did the community act upon this information provided by the school district? (e.g. by adopting a report card or other evaluation system) regarding the use of ESEA funding?
- What is the percent of community stakeholders taking individual and/or collaborative action on behalf of struggling schools?

To facilitate this effort, PEN has developed the Civic Index for Quality Public Education.¹⁰ The Index is designed to help local communities do the following:

- Identify civic behaviors necessary for assuring a quality public education for every child;
- Develop strategies that will increase civic capacity to deal with critical education reform, equity, and achievement;
- Strengthen civic responsibility of individual citizens in voting, holding elected officials accountable, participating in public discussion and dialogue, and using information on schools performance to leverage schools improvements;
- Bolster the infrastructure of local community, higher education, government, business, and parent groups to build consensus, common goals, and public support around public education; and

¹⁰ PEN Civic Index for Quality Public Education, see www.PublicEducation.org

- Provide a civic vocabulary to talk about the needs and importance of citizen participation to create, nurture, and improve public schools.

Comprehensive Data Systems

It would be a missed opportunity if states collected annual data only on student academic achievement, as these data represent too narrow of a view of student success. States should strive to get as broad a picture as possible of the multiple factors known to affect student achievement. In many cases this information is already being collected; but, the agencies collecting the data are not sharing the information with each other or the school's external partners and do not use the data to drive performance and decision-making. In other cases, community-based partners, universities, and hospitals can help schools gather and analyze data to coordinate programmatic responses.

Education equity attorney Mike Rebell recommends that the federal government hold schools accountable for factors other than test scores.¹¹ Schools need the overt support from U.S. Department of Education that positive school climate is absolutely essential to academic success. History has proven that without such overt support, schools revert to focusing on just what is measured. PEN recommends that these additional factors should include:

- school climate and development of school climate standards to demonstrate how schools can improve climate as demonstrated by the new National School Climate Standards that Ohio will vote to adopt in December 2009
- student progress over time
- summer learning programs
- social and emotional health
- health indicators such as immunization rates and vision and hearing screening
- parent engagement
- attendance (including early chronic absenteeism)
- early childhood education screening and intervention data, and
- participation in out-of-school time programs

Utilization of Data: Making Data Actionable

We know that standards and data do not improve instruction, but are tools that should lead to education improvement and greater student success. While NCLB generated a lot of data, PEN is concerned data is not being used effectively to generate improvement in schools identified for improvement and restructuring. On the other hand, there are a growing number of teachers and principals who know how to use data, but often lack the authority and/or resources to administer "treatment" such as longer school day, summer learning, tutorials, individualized curriculum, and support help such as health, counseling and other personalized student assistance. Since data is a key to school reform success, PEN believes that there are five phases to data utilization:

1. Sufficient data that go beyond test scores and provides a comprehensive picture of school performance.

¹¹ Rebell, Michael. "Reauthorizing NCLB: A Summary of Recommendations." Washington: Campaign for Educational Equity, 2008

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2. Data that is accurate, timely, valid and reliable.
3. Data that is understandable to educators, parents and the community.
4. Data that is communicated to the various stakeholders, and
5. most importantly, school personnel who know how to use data that lead to appropriate changes in teaching and learning, and who are given the authority and resources to act on that data.

PEN is especially concerned about the fifth phase and believes that increasing the knowledge of administrators, teachers, parents and the community in effectively utilizing data leads to school improvement in teaching and learning. In addition, when changes are recommended for individual students and schools that require additional resources, changes in time or instruction, or the in-school structure, the expertise and resources should be available to produce such changes. To be effective, a school must use the data in order to determine what works, improve on practices, and create new avenues to address barriers to learning and teaching.

Recommendations:

- The U.S. Department of Education should compile evidence-based and empirical research of the most effective community education and community collaboration models and widely disseminate to SEAs, Title I schools and school districts, community-based organizations, and educators.
- Allow school districts to spend up to 5 percent of their Title I money to subsidize the development of community based supports.
- Provide incentive grants to local school districts and/or local education funds (PEN members) to include the community as a full partner in improving low performing schools beyond the few dollars that have been appropriated for the Full Service Community Schools Act.
- Require that every Title I district that has schools under the NCLB restructuring, (or in rural districts, a consortia of districts) employ, with the involvement and input of parents and the community, a community coordinator with experience in Title I, school improvement, and community education and collaboration to be the “point” person to link the school and community, mobilize the community, coordinate services, and organize the learning supports and interventions necessary to enhance student learning progress.
- Require that every Title I school identified under ESEA sanctions to organize a school support team that includes community members. The team must be charged with recommending scientifically-based research strategies that strengthen the core academic and learning supports program (as identified by the state learning supports standards), and use data and information to recommend a school improvement strategy.
- Add to the options for school restructuring allowance for community schools. School districts could use as a restructuring strategy a school to be community-based, including: services needed and provided; length of school day and school year; development of partnerships; community governance; involvement of parents, students, business, seniors, health and social services, law enforcement, and juvenile

- justice; and, coordination with other federal and state educational categorical education programs.
- The district must provide information to the state, in the district Title I application, about how it will include the community in school improvement with the input of the School Improvement Committee.
 - Each state should create an office with a contact person and the necessary expertise to advise and provide technical assistance to local school districts in developing school/community partnerships and providing incentive grants so that (in partnership), the community and schools are able to create and implement effective systems of community supports and collaboration.
 - Provide useful diagnostic information, including data for educators, parents, community, business, students, policymakers and other major stakeholders that lead to improved teaching and learning beyond the current state AYP assessments
 - Require the school district to employ a professional who is part of the instructional division, possessing both assessment and instructional expertise, to support and assist schools and educators in effectively utilizing the data.
 - The state should provide technical assistance to school districts in the effective use of data to improve teaching and learning.
 - As part of the district Title I plan, evidence must be shown that proves the district has developed an effective communications plan that demonstrates it is able to reach deep into the community with information about school quality.
 - Provide technical assistance to teachers and administrators in how to effectively communicate school data to parents and the public.

Testing and Assessment

PEN supports standards-based reform along with assessments measures that are aligned with the standards. However, PEN believes that the assessments should be comprehensive and focus on additional subject areas besides math and language arts. The assessments also should be student-focused and lead to incentives that serve to encourage continuous improvement. Multiple assessments that are research-based and cover student progress in a variety of subject areas are preferable to a single, high stakes test in just two subjects. PEN also believes that local districts should be provided more flexibility in experimenting with various assessment systems that are aligned with the standards, but are developed with community and local involvement and input.

PEN believes that a State's assessment system should measure a full range of cognitive complexity including reasoning, synthesis, analysis and other higher level thinking skills. But PEN also believes that these assessments needs to be research-based, high quality, and not be tied to a specific target, but based on school and individual student progress. PEN supports a value-added assessment program that measures more than reading and math, and should focus of incentive-based changes and improvement, rather than on more punitive interventions.

Overall, the law's emphasis needs to shift from applying sanctions for failing to raise test scores to holding states and localities accountable for making the systemic changes that

improve student achievement, and build the state and district capacity necessary to focus on both the academic and the non-academic learning needs of students. And lastly, assessment should provide multiple, up-to-date measures of student performance including measures that assess higher order thinking skills and understanding.¹²

Recommendations:

- Replace the current NCLB system of AYP and escalating sanctions for schools, districts and states that receive Title I money with a growth model that measures achievement progress.
- Develop longitudinal testing which would track the same students as they progressed through their elementary and secondary career versus the current method of comparing by school and grade level.
- Allow states to measure progress by using students' growth in achievement as well as their performance in relation to pre-determined levels of academic proficiency.
- Reduce the amount of mandated testing, such as to the requirements of the 1994 ESEA (once each in elementary, middle and high schools). This would bring the U.S. into agreement with the practices of most nations, including those with substantially better achievement and improvement than the U.S.
- Require states to use multiple measures (multiple sources of evidence of various types) for the evaluation of their schools under Title I.
- Support the development of improved assessments, such as performance tasks and projects, that states can gather in electronic libraries and make available to educators for their use, as well as use some for on-demand assessments.
- Support the development of systems of state and local assessments that can include classroom-based evidence as part of public reporting and accountability.
- Support the provision of extensive professional development opportunities for teachers to learn to develop and use assessments for, as and of learning, including the ability to identify students strengths and weaknesses and address their learning needs; and
- Provide a comprehensive picture of student and school performance by moving from an overwhelming reliance on standardized tests to using multiple indicators, both academic and non-academic, that are related to student progress.
- Require that states provide assessment data to school districts and communities the same year that students are tested, and that teachers be given the tapes of the test questions.
- Require that each state develop standards for both academic and non-academic learning supports that are necessary for students to meet state academic expectations. For example, standards related to the capacities and funding that schools need to assure student success, school climate, parental involvement and community engagement, and graduation should all accompany academic standards

¹² PEN is one of the over 140 signers of the Fourm for Education Accountability (FEA) **Error! Main Document Only.** Joint Organizational Statement on *No Child Left Behind Act*, see www.edaccountability.org.

- Continue the ELL proficiency assessment, but allow school districts greater flexibility in administering English language grade level tests to students who are not fluent in English.
- Develop a pilot program encouraging the states to develop portfolio assessments that would follow students through from at least grades one through six. The portfolio, in turn, would be discussed with parents and teachers to discuss performance and measure progress.
- Fund research and development of more effective accountability systems that better meet the goal of high academic achievement for all children.
- Develop new systems to help teachers use classroom-based “formative assessments.” These provide teachers with prompt feedback on what their students do and do not understand, and they enhance teachers’ skills in adjusting instruction accordingly to meet the needs of individual students.

A teacher that is currently in the Boston Teacher Urban Residency program described how she has been learning how to use formative assessments:

“I value the data-driven approach to instruction; this approach parallels my own practice of using the cycle of inquiry to improve student learning. Every day, I track student learning using Do Nows, Exit Slips, and a variety of formative assessments. I analyze student work to pinpoint where their understanding breaks down, and which students need additional support. Additionally, I apply the cycle of inquiry to reflect on my own teaching. After each lesson, I list the strengths and weaknesses of my lesson delivery and classroom management, and create next steps based on my students’ needs. My data-driven approach to instruction will enable me to add to the culture of inquiry.”¹³

Opportunities to Learn: Opportunity to Learn Index

Standards-based reform will be with us for some time. But during this next phase of ESEA reauthorization, let’s not impose standards until we are able to link standards to program and school opportunity and capacity. Instead of placing focus on educational deficits—that is intervening after a child has failed; let’s commit ourselves to placing energies, resources and strategies on opportunities that assure that students and teachers succeed. Without resolving the issues that create the opportunities gap, we will not be successful in closing the achievement gap.

From NCLB experience, we know that if the next phase of ESEA does not address Opportunity To Learn, we will have lost yet another opportunity for real education reform. With such a focus on data and information—and rightly so—this next phase of education reform needs to address several major policy questions:

1. Now that we have the data, now what?
2. Is it possible to have equal outcomes with unequal opportunities?

¹³ Interview with Sonya Crocker, Boston Teacher Urban Residency Program teacher, March 20, 2010.

We hope that there is renewed understanding, as a result of what we learned from NCLB, that Opportunity To Learn is at the center of these questions. We need to restore once again the link between the academic aspirations we have for our students and the opportunities that are necessary to achieve those expectations. This time around, let's not set common standards without also defining common opportunities necessary for every student to achieve.

It's like baking bread—if some of the ingredients are necessary, and opportunity is the yeast that rises the whole loaf—without it we will get a very flat loaf of bread.

To this end, states should provide an **“Opportunity to Learn Index,”**¹⁴ which would track data about the quality of state and local education systems. Before we can say that all students can achieve at proficiency, or that they will be college and career ready, we must also assure that all students have access to the educational resources public schools need for this aspiration to be attained. The new ESEA should require states to combine their learning standards and academic expectations to the capacity of schools to be able to attain those expectations. In other words, 1) data on what conditions are necessary for students to succeed, and 2) information about the institutional, resource, and instructional gaps that place some students at an educational disadvantage over other students. A similar framework should be used to assure that the community, business, charter schools, corporations, funders, and families are meeting their responsibility for assuring quality schools. To this end, PEN has produced the Civic Index for Quality Public Schools (alluded to prior in these comments) which can be used in conjunction with the “Opportunity to Learn Index.”¹⁵

Teacher Leaders

Providing the support that teachers and administrators who are in struggling schools involves more than “putting the heat on the school or on the teachers.” It also involves changes in the structures, culture, and policies that determine the way teachers are supported, prepared, inducted as beginning teachers, developed, compensated, recruited, and assigned. Changes need to occur at multiple levels: the policy level, within schools of education, state departments of education, and at the district and individual school level.

PEN believes that using the teacher urban residency model, now being supported and led by PEN's LEF in New York, Boston, Philadelphia, Houston, San Francisco, and Denver, as well as elsewhere in the nation, provides the transformational model that can turn around difficult and struggling schools, and meet the objectives of Race to the Top.

¹⁴ “Lost Opportunity: A 50 State Report on the Opportunity to Learn In America,” Schott Foundation for Public Education, 2009.

¹⁵ Civic Index for Quality Public Schools,” see www.PublicEducation.Org and www.civicindex4education.org

Teacher urban residency programs focus on teacher effectiveness, and not on a minimum and arbitrary standard of “qualified” as in NCLB. These supports also recognize the importance in developing qualified administrators to create school environments that attract and retain the most qualified teachers in high needs schools.

Recommendations:

- **Federal funds should be allocated to create a national teacher and education leadership corps that will create special opportunities for new and existing teachers and administrators to receive the leadership and teaching skills necessary to teach in high needs schools and work with high needs students. Through a competitive grant process, 25 schools of education would be identified as providing effective teacher education programs for educators in high needs schools. These schools would then enter into partnerships with local school districts and community-based organizations to provide both pre-service and in-service programs for schools and school districts that have the greatest needs. Both administrators and teachers would be granted special certification.**
- States should be encouraged to expand teacher education programs that produce effective teachers and have the features of effective programs, rather than expanding alternative certification programs in an undifferentiated way.
- Teacher evaluation should be based on measures of practice, performance, and varied evidence about student learning, rather than merely state test scores.
- use multiple measures (similar to those used for students) to identify teacher effectiveness in meeting the needs of the whole child.
- Identify the school conditions necessary for teachers to be effective.
- Require Title I resources be used to train principals and other school administrators to better assess teacher effectiveness.
- Provide incentives to districts and states that provide leadership opportunities for highly effective teachers to share their practice and expertise with other teachers.
- Increase resources to study and research teacher effectiveness and to make this research available to schools and districts.
- Provide loan forgiveness and other financial incentives to attract and retain the best and the brightest students into the teaching profession.
- Provide incentives (research) grants to districts, in partnership with their community and with local education funds that want to experiment with more performance-based definitions of teacher effectiveness.
- Require that districts ensure that Title I schools have the same proportion of qualified and effective teachers as all schools in the district.

Family Engagement and Parental Involvement

Overview: Family Engagement and Public Engagement Are Not the Same¹⁶

¹⁶ **Parent Involvement in Education:** The term “family engagement in education” means a shared responsibility of families and schools for student success, in which schools and community-based organizations are committed to reaching out to engage families in meaningful ways and families are committed to actively supporting their children’s learning and development, as well as those of other children. This shared responsibility is continuous from birth through young adulthood and reinforces learning that takes place in the

We want to reemphasize that parent and community play different roles in holding schools accountable, assisting and supporting improved education, and building the public will to assure that all students receive a quality public education.¹⁷ But in our comments on Race to the Top and Investment for Innovation,¹⁸ PEN expressed its deep concern, that with the exception of very few mentions of community engagement and family involvement, Race to the Top was out of balance, top-heavy, and needed to recalibrate the relationships between state and local, between the top and the bottom, between compliance and flexibility, and between the regulators and practitioners. In a few words, the public is missing, and there needs to be a stronger working role at the state level linking the participation, needs, and context of local school districts, families, and the community

While community and families are referenced in the RTTT guidelines, they are not fully coordinated and integrated into the Department's reform and innovation strategy. This is also reflected in the U.S. Department of Education's *Blueprint for Reform*. Such framing is essential in our view if our schools are to do their job – improving academic achievement, and if the many community partners are to do their job – helping to create all the conditions for learning necessary for our most vulnerable students in our struggling schools, and to sustain educational improvement for longer than the term of the school superintendent or chancellor. PEN would hope that this same neglect for parents and community and the concomitant lack of coordination between schools, families and the public would not be repeated in the new ESEA.

Family Engagement

In public hearings conducted by PEN (*Open to the Public, PEN, 2004-2007*), there was an overriding theme from parents that they were not informed about NCLB, that data was difficult to obtain or understand, general information was not in a language that parents could understand, and parents were often confused about the labeling of their schools and their rights under the law. In addition, PEN believes that the transfer provisions are not effective mechanisms for improving low- performing schools and divert attention from the goal of continuous school improvement.

While we believe that school districts should be more effective in communicating with parents about transfer and SES, we believe that the real key to parent involvement is Section

home, school and community. **Community Engagement in Education:** The term 'community engagement in education' means systematic efforts to involve, engage and collaborate with parents, community residents, members of school communities, community partners and other stakeholders in exploring the needs of their students and schools, developing plans to address these needs, and working together to address those needs. Effective community engagement is an ongoing process to develop a welcoming school and school system, mobilize the community's assets to support student achievement and growth, engage those who traditionally have not participated, improve working relationships, and deepen the commitment to student success.

¹⁷ We cannot emphasize enough that the terms *family engagement* from *public engagement* be used separately; While these terms are now often combined because engagement has become so important, they are not necessarily synonymous and constitute different stakeholders requiring different strategies, even though parents should always be included as citizens and an integral part of community engagement

¹⁸ PEN Comments Related to Race to the Top Fund, August 28, 2009.

1118 of NCLB. It was this area where respondents from almost every element of PEN's data collection agreed that the parental involvement provisions of NCLB were not being implemented, evaluated or enforced. Despite the rights enunciated in the act related to parent involvement policies and Section 1118 provisions, parents and local education funds (PEN members) often comment that they are either not provided information or shut out of school decision making.

In essence, the parental involvement provisions in NCLB, as they are written, are not enforced. As of 2007, the U.S. Department of Education reports that out of 20 states that have thus far been monitored with regard to NCLB compliance, 11 are not complying with the parent involvement provisions. State and local school districts often comment that they lack the personnel and capacity to fully implement the provisions. Often parents do not want to transfer their children to another school- they just want the district to improve the school at where their child attends. So PEN believes that this section does not go far enough in assuring that parents are not only informed, but involved. Therefore, our comments focus on strategies that assist state and local school districts in building a much more robust parent involvement framework that goes way beyond transfer and SES, creating a family-school partnership.

We support the Keeping Communities and Parents Engaged Act (or Keeping PACE Act). The measure, sponsored originally by Senator Edward M. Kennedy, is an incentive bill that would provide funding to districts to partner with their community, including the employment of a community coordinator to bring community and parent groups together in support of school improvement.

See also (Coleman, Arthur L., et al. *"It Takes a Parent: Transforming Education in the Wake of the No Child Left Behind Act."* Washington: Appleseed, 2006) The author concludes, via a survey of 18 districts, that parents are often confused about school policies and data. They feel left out of decision making and are unaware of how their child's school is performing. Coleman calls schools and districts to provide clearer, timelier data about school performance and policies and to do more to reach out to local communities to get them involved in crafting policy and guiding school improvement.

Recommendations:

- At the very least, maintain the LEA and SEA provisions for involving families and parents, and strengthening the Parent Involvement Resource Centers (PIRCs) as a major technical assistance tool for SEAs and Title I LEAs
- Develop an oversight mechanism that holds states and school districts accountable for effective implementation of the parental involvement provisions. Increase monitoring of SEAs to ensure that parental involvement is a major component of the state plan.
- Develop a complaint procedure starting at the local level for parents who believe that their school and/or school district are not implementing the parental involvement provisions of the law.
- Develop capacity at the national and state level to assist local school districts in implementing effective involvement.

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- Translate materials from the U.S. Department of Education regarding the new ESEA laws, policy guidance and communications in a style and format that parents can understand.
- Coordinate national research related to field-based and evidence-based models of effective parental involvement practices.
- Establish benchmarks — in collaboration with local school districts and advocacy and community groups — for local school systems and schools to use in measuring the effectiveness and progress of their parent and community involvement policies and practices. Once these benchmarks are established, evidenced-based progress evaluations should be reported to the public.
- Include parents and the community in developing a statewide system (as well as one at the district level) of information related to the state accountability system, the provisions of NCLB, appropriate uses of assessment, teacher qualifications, and transfer and supplementary educational services that parents and the community can clearly understand.
- Develop a complaint procedure that provides redress for parents and community members to use when schools or districts fail to comply with the parental involvement provisions of NCLB.
- Ensure that each state department of education has a sufficient number of trained, highly qualified staff who can work intensively with districts and schools to help them address issues, problems, and concerns related to parental and community involvement.
- Assess local school system parent and community involvement training needs and provide appropriate technical assistance, training, resources, and mentoring.
- Work with colleges and universities to develop a course in parent and community involvement that is a requirement for all undergraduate education students seeking teaching certification.
- School districts must provide evidence to the state that they made extensive efforts to involve parents and the community in the development of the district Title I plan.
- Make annual reports as to what steps the school and school district is taking to implement the parental involvement policies. This is necessary for the public to hold the school district accountable.
- Ensure that schools provide training for parents and community members on leadership and effective involvement with schools. To maximize access to training, it should be offered at schools, or at additional sites that are convenient to the community, and on a website.
- If a school or district is identified as low performing or in need of corrective discipline or restructuring, the school or district must appoint a community school improvement team consisting of educators, parents, community leaders, higher education and other specialists familiar with data and evaluation to develop a school improvement plan. This should be coordinated by a full-time community coordinator cited above under the Shared Accountability Section.
- While it is important to intervene in schools that are low performing, it is not acceptable to fire whole teaching staffs, close schools or make fundamental changes—which in many cases may or may not be backed up by research—without

engaging parents and the community in these initiatives. We have too much evidence to suggest that without family and community ownership, the most well intentioned reforms are not sustainable.

- Develop a set of survey questions each year that could stand alone or be incorporated into existing local school system survey instruments to assess the effectiveness of parent and community involvement policies and practices.
- Local school systems must factor parent and family involvement into the annual performance evaluations of school administrators and staff.
- Increase the Title I parental involvement set-aside to 2 percent.

Expand the opportunity for shared accountability by including the community as partners

One of the lessons that NCLB has taught us is that schools alone cannot meet the goal of increasing the number of college and career ready low-income students. Under the current system of the highly school-based NCLB accountability system, a school is mostly held accountable for providing quality education for all students. But community support and partnership involvement is key to school performance, thereby dictating a sharing of accountability for quality public education. In fact, without the involvement of local education funds, community-based organizations and individual community members, no national education reform plan will be able to meet the high achieving standards established by the state. In many cases, schools do not know how to access local education funds and community organizations. As well, many communities do not know to partner with schools. Shared accountability is not an end in itself, but is a strategy to develop a comprehensive learning supports system and team that requires schools and communities to build strategic connections and partnerships.

This seamless paradigm of school district and community collaboration is not just a communications issue, (although we don't want to undermine the importance of outreach and communications to the community), the public's engagement with its public schools is an instructional issue as well, and the new ESEA policy should recognize the public as an essential, systemic part of the instructional improvement formula. While clear, accurate, understandable and transparent public information and data is part of the process of building public will and ownership of change, we also know from the NCLB experiences that while data is necessary, it is not sufficient to build a public that demands integrated services; quality schools and school districts especially for our struggling schools; sustains meaningful reform and change, and is able to use the data to pressure for improved schools.

If the new ESEA is to be innovative, transformative, and a "game changer," the engagement of the public, in collaboration with the school, becomes not only a service and support issue, but a major civil rights issue---the public should be an INTEGRAL part of the schools' instructional program (not the PR program) along with the professionals and policy makers to operationalize the data, build public will for change, and assume responsibility for school equity and quality. We are not talking about the traditional task forces that slip into passive

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talking groups, as evidenced by some of the P-16 and P-20 councils¹⁹ or by a linear model, but rather by a multidimensional model layered across all of the other instructional elements that build productive partnerships with the school “sharing knowledge and expertise with each other recognizing the importance of identity, culture, and collaboration in setting strategic directions for achieving better outcomes.”²⁰ This information is certainly not new to PEN local education funds who are engaged in bridging school and community, education and democracy (our Mobile Education Foundation being a major example) as their core work.

PEN views public engagement as a priority and as one of the engines that will drive the new ESEA. PEN would recommend that the new ESEA consider a more integrated and comprehensive approach to local level innovation and reform planning, especially with an increased focus on struggling schools. It is this priority that serves as the nexus for bringing together the standards, the academic and developmental data, research, teacher and principal leadership and quality, funding, ESEA improvement plans, family involvement, and community engagement—all knowledge that converges to inform the school district and the community about the transformational changes that need to take place for all children to succeed.

The point is that there is more and better evidence suggesting that communities do matter, and that the next phase of ESEA is helping both schools and communities build the capacity to change from “silos” and “categories” to active networks collaborating in the unrelenting focus of equity and education improvement. Certainly, this is not the only piece of educational change, but critical to both acting on the data and changing attitudes and behaviors about what public schools need to prepare all of our students for college and/or a career, as well as citizenship. A recent study from the ETS outlined 16 factors influencing achievement; over half of which occur outside the classroom and in the home and community. All of this evidence is significant, because in the past, “school reformers” totally undervalued the role of school and community collaboration; more recent research in examining school improvement including Chicago cannot ignore the “relationship” part of the Gates Foundation’s three R’s: rigor, relevancy and relationship. The new ESEA cannot turn into hundreds of pages of rigor relevancy, without policies related to building community connection and relationships.

A Declaration of Interdependence needs to be declared within communities, between the LEA and the states, and inter-and intra-agency integration at the federal level. Cultivating “bottom-up” collective pressure through the stimulus rules means educating and mobilizing the public through learning communities, public outreach, dialogue, and understanding of the data—far more consequential in scaling up and providing systemic reform than increasing the number of charter schools or voucher programs.²¹ PEN is supportive of the

¹⁹ “Claiming Common Ground,” by Callan, Finney, Kirst, Usdan and Venezia, IEL, National Center for Public Policy and Higher Education, and the Stanford Higher Education Research, March 2006.

²⁰ “How Policy Travels: Managing for Success” by Paul Goren’s in a paper from his research on New Zealand’s Maori, July 2009.

²¹ “A Critical Analysis of Bringing Equity Back: Research for a New Era in American Educational Policy, edited by Janice Petrovich and Amy Stuart Wells, New Visions for Public Affairs, Volume 1, Spring 2009.

four assurances, but the public needs to be as well. The new ESEA has unprecedented opportunity to rally the public around change and reform. Without public support and ownership being an integral part of the reform paradigm, the nation misses a real opportunity to involve its citizens in new shared purposes, shared change, shared accountability, and shared achievements.

Recommendations:


- Require full community representation on all major Title I national, state and local Title I committees, with educators, parents, researchers and academia in the development and evaluation of the Title I plan.
- Compile evidence-based and empirical research of the most effective community education and community collaboration models and widely disseminate to SEAs, Title I schools and school districts, community-based organizations, and educators.
- Provide incentive grants to local school districts and/or local education funds to include the community as a full partner in improving low performing schools.
- Require that every Title I district that has schools under the sanctions (or in rural districts, a consortia of districts) employ, with the involvement and input of parents and the community, a community coordinator with experience in Title I, school improvement, and community education and collaboration to be the “point” person to link the school and community, mobilize the community, coordinate services, and organize the learning supports and interventions necessary to enhance student learning progress.
 - Provide Title I funds for school districts to support a full-time community coordinator and the staff and services required to support that coordinator.
 - Require that every Title I school identified under sanctions to organize a school support team that includes community members. The team must be charged with recommending scientifically-based research strategies that strengthen the core academic and learning supports program (as identified by the state learning supports standards—see above) and use data and information to recommend a school improvement strategy.
 - Provide technical assistance to school districts to restructure a school to be community-based, including: services needed and provided; length of school day and school year; development of partnerships; community governance; involvement of parents, students, business, seniors, health and social services, law enforcement, and juvenile justice; and, coordination with other federal and state educational categorical education programs.
 - The district must include the community in the development of the district’s Title I plan—the plan in essence becomes a school-community plan—and strategies for school improvement. The district would be required to fully inform the public, community, parents and students about the Title I plan.
 - The district must provide information to the state, in the district Title I application, about how it will include the community in school improvement with the input of the School Improvement Committee.
 - Each state should create an office with a contact person and the necessary expertise to advise and provide technical assistance to local school districts in developing school/community partnerships and providing incentive grants so that (in

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partnership), the community and schools are able to create and implement effective systems of community supports and collaboration.

Public Education Network thanks this Committee for the opportunity to submit comments, and looks forward to working with the Committee members as the ESEA reauthorization process continues. Should the Committee have additional questions, they should not hesitate to call myself or Arnold Fege, PEN's Director of Public Engagement and Advocacy.

Sincerely,



Wendy D. Puriefoy
President