

July 15, 2011

“Educating Our Children to Succeed in the Global Economy”

**Testimony submitted to the United States Senate
Committee on Health, Education, Labor, and Pensions**

AYP Accountability

- The system is set for the majority of districts/schools (i.e. those with enough students for a statistical cell size) to eventually fail.
- 100% of all students meeting proficiency benchmarks is unrealistic for various reasons – high mobility rates; effects of economy on family stability; special needs that can't be overcome by better instruction.
- Proficiency level is a moving target – even if a district, school, or even student makes progress, it will never be enough because the expectation keeps increasing.
- Even with the implementation of growth targets, students with the most significant gaps have to make the largest gains to meet the targets. For students with a true cognitive disability this is unreasonable.
- Schools can raise achievement levels for all students, and be rated poorly because of a single subgroup.
 - One of the district schools had 88% (188/213) of all students meet grade level benchmarks in reading, but will be reported to the public as not meeting AYP because only 49% (20/41) of the students with disabilities subgroup met the reading benchmark. The building has implemented intensive interventions for struggling students to help ensure that only those students truly needing special education are identified.
 - Schools with smaller student populations, and consequently a smaller subgroup size can have fewer students meet and still meet AYP.

Paperwork Accountability

- NCLB requires an excessive number of compliance reports, collections of evidence, and plans many of which are duplicated information, but frequently with their own template which generally changes from year to year and sometimes mid-year. Some examples are: District improvement plans, school improvement plans, district professional development plans, notebooks of evidence collection for each of the federal grant programs, plans and end of year reports for federal grant programs. Even in small districts coordinating this process can be a full time job.
- In addition to the standard reports, there are improvement reports that have to be submitted yearly when a district or school is out of compliance with any of the requirements (highly qualified teachers, AYP, AMAOs, etc.)
 - Improvement plans are required yearly and districts are required to explain what is wrong and what they are going to do to fix it. Sustainability can't be built on yearly plans and program changes take longer than a year to implement and evaluate.

Financial Restrictions

Supplement/Supplant

- There is no flexibility for districts to provide comparable (or even at a minimal level) staffing, professional development opportunities, programs, and technological support to non Title schools as schools having Title I-A funds for that purpose.
- There isn't enough Federal money coming into the district to fund all schools so it becomes necessary to choose which grade levels should have additional services and to identify the services with the most impact. For most districts this means funding needs to target elementary schools. By the same token there aren't enough district/state funds to provide all the supports necessary at all levels. Because of the supplement/supplant restriction, students leaving the lower grades who may not be candidates for special education, but would continue to benefit from extra support may not get what they need to continue growing.
- Initiatives that benefit all students such as RTI and its screening, intervention strategies, and progress monitoring components are difficult to sustain at the upper grades without being able to support them with district funds. These types of programs are integral to the Title schools. If federal funds can't continue to be used in Title buildings when these programs are moved to non-Title buildings, they could become watered down or disappear altogether.

Spending Timelines/Permission

- It is assumed if money isn't expended by a certain date, it isn't needed. Districts who try to look at long range planning and create sustainable programs may have difficulty allocating money for a specific purpose when there is a possibility that there won't be enough to continue the program for the following year. It is assumed that if the money isn't spent by end of a certain date the district doesn't need it. As a consequence, districts are forced into short term, year to year planning.
- Districts are being required to be very specific about how money will be spent. A few years ago, a budget narrative could request a certain amount of money for professional development that addressed an area of need based on individual school improvement plans. This year, not only did the area of PD have to be defined, but the school was expected to know exactly what that would be. Schools don't necessarily know in September what will be available later in the school year.
- All spending has to be justified and approved. Districts are not allowed to determine their individual needs if the needs fall outside of federal and/or state approved programs.
- Budget narratives are written based on district/school needs identified in plans. If anything changes in the prospective plan, it is necessary to get permission to change the narrative. This can be frustrating and time consuming when busy people don't get emails answered and phone calls returned in a timely manner.

Highly Qualified

- This has been difficult to implement, especially in smaller schools and school districts. For example, if a teacher is "misassigned" to teach one class for which they are not formally endorsed/certified but the district believes the teacher does have the background to teach the class successfully, it must be reported to the state licensing bureau (TSPC) and to Oregon Department of Education. If the district and/or a building is in "In Improvement" status, meaning they did not meet the achievement levels required by NCLB, the district must write a

professional development plan for the district and reduce the Title I funds going to K-4 grades to increase reading skills and use that money to provide district-wide staff development in the area of deficiency (math in our case) as identified by the state testing.

- In small high schools, especially those under 700 students, we find ourselves with one or two periods of a particular subject area for which we do not have a “highly qualified” teacher. To address this issue, we have these choices: we can misassign someone within our staff who we believe has the skills to teach the class, try to hire a teacher to come in and teach one to two periods a day and “layoff” current staff for one or two periods, or drop the classes. We choose to misassign as we want students to be able to take the classes.
- Another issue is that Oregon’s licensure categories do not match those found in NCLB, as I am sure is the case in other states. For example, Oregon has a “multiple subject area endorsement” which allows teachers teach an array of subjects at certain grade levels, if social studies, for example, is not listed, then the teacher with “multiple subject areas, cannot teach social studies unless they take a test.
- The paperwork load in the personnel office continues to escalate as we must check the rules for NCLB and the state licensing, try to satisfy the requirements of both while also trying to work out school schedules that work for students and staff, and do the paperwork necessary to be in compliance.

Instructional Assistants:

- The “sight and sound” (Oregon wording) and “under direct supervision” (federal wording) for the use of instructional assistants has also become an issue. Instructional assistants are critical to assist children who have reading difficulties in learning to read through practice of reading and/or review of skills taught by the teacher. As it is now, IA’s must be within the “sight and sound” of a teacher who is also working with a small group of students, thus two groups or sometimes even three groups of students end up being in close proximity to each other which makes for a very noisy learning environment. The lessons prepared by the teachers for the instructional assistants to use as additional practice for students could be better implemented if they could use space further away from the teacher.

Curriculum and Materials:

- Curriculum is another area of concern. Right now, identifying the “standards”, the “essential learning skills” and the myriad of other identifiers for what students need to know and understand are being revised by individual states, by organizations that represent content (National Council of Teachers of Mathematics, for example) and by federal government. As high stakes testing becomes more and more of a reality, we need to have a well defined curriculum with materials that support the curriculum so students can be assured they are learning what is necessary to do well on the tests. Since our populations of students is becoming more and more mobile it is essential that as student move they are assured they are being taught a “core” curriculum.
- As money has declined for school districts so too has the ability to buy new materials and textbooks so many of us are using materials adopted more than seven years ago and staff is having to spend time searching out materials that support what they are to teach and students are to learn.