

HOUSE BILL REPORT

SSJM 8011

As Reported by House Committee On:
Education

Brief Description: Petitioning Congress to raise funding levels of the No Child Left Behind Act.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Clements, Rasmussen, Eide, Oemig, Sheldon, Shin, Kline and Tom; by request of Superintendent of Public Instruction).

Brief History:

Committee Activity:

Education: 3/16/07, 3/27/07 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Asks Congress to fully fund the No Child Left Behind Act of 2001 without reducing expenditures for other education programs and to make improvements to address various issues raised.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 7 members: Representatives Quall, Chair; Barlow, Vice Chair; Haigh, McDermott, Roach, Santos and P. Sullivan.

Minority Report: Without recommendation. Signed by 1 member: Representative Anderson, Assistant Ranking Minority Member.

Staff: Barbara McLain (786-7383).

Background:

Congress authorized the No Child Left Behind Act (NCLB) in 2001. Under the NCLB, states must assess student performance against state standards in reading/language arts and mathematics in each of grades 3 through 8 and one high school grade. Beginning in 2007-08, science must be assessed in at least one grade in elementary, middle, and high school. All students must be assessed.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

States must also set and report annual goals for the percent of students meeting the state standard on the assessments, with the goal that all students meet the standard by 2014. Goals must be set for subgroups of students based on race, ethnicity, English language proficiency, disability status, and socioeconomic status. The data from these reports is used to determine whether schools and districts have achieved adequate yearly progress (AYP) toward the goals. A progressive schedule of annual consequences is imposed for failure to meet the AYP for schools and districts that receive federal Title I funds.

The NCLB also defines qualifications needed by teachers and paraprofessionals to be considered "highly-qualified" to teach core academic subjects. Title I schools are required to notify parents if a teacher has been assigned who does not meet the qualifications.

The U.S. Department of Education must approve each state's assessment and accountability system, as well as the method chosen for determining highly-qualified teachers.

The NCLB is subject to reauthorization in 2007.

Summary of Amended Bill:

Although Washington supports the goal of all students achieving at high levels and the attention the NCLB has brought on the improvements in education needed to reach all children, reauthorization provides an opportunity for essential changes.

Among the issues raised:

- Limited English-proficient students should not be included in overall accountability for at least three years.
- The uniform bar of performance by all students should be replaced by realistic requirements for continuous improvement.
- Unless appropriate funding is provided for annual large-scale assessments, states should be allowed to assess in selected years rather than annually. Even if funding is available, states should be able to use a variety of ways of assessing progress.
- The AYP provisions are overly prescriptive and rigid.
- Career and technical education teachers who are certified by industry are not considered "highly-qualified" if they do not have a Bachelor's Degree.
- The NCLB imposes significant costs to the state, local school districts, teachers, and paraprofessionals.

Congress is asked to raise authorized funding levels of the NCLB to cover the costs of carrying out the recommendations, to fully fund the law without reducing expenditures for other education programs, and to make improvements to address the issues raised.

Amended Bill Compared to Substitute Bill:

The issue is raised of career and technical education teachers certified by industry but not being considered "highly-qualified" under the NCLB if they do not have a Bachelor's Degree.

Appropriation: None.

Fiscal Note: Not requested.

Staff Summary of Public Testimony:

(In support) This is an opportune time for Washington to send a memorial to Congress as they take up deliberations on the reauthorization of the NCLB. Washington's Congressional delegation wants to hear from the Legislature. We all believe strongly in high standards for academic learning, but testing is not the same as accountability. The NCLB is highly prescriptive when it comes to accountability. The definition of "failure" is the same if a school missed the AYP by one cell or all 37 cells, and it doesn't reflect growth or improvement. The loss of the grade-level WASL alternative for special education students is crushing to the self-esteem of those students, who are not rewarded for their effort. Only 1 percent of students are allowed to be tested using a portfolio alternative, regardless of how many significantly challenged students the school district has. School board members agree with the goals of the NCLB, but continue to have significant concerns about the lack of flexibility and the lack of funding. The Legislature needs to send a strong message about this, even if it is only a message.

(Opposed) None.

Persons Testifying: (In support) Karen Davis, Washington Education Association; Shannon Rasmussen, Federal Way School District; Mitchell Blackburn and Teresa Swanson, Seattle Public Schools; Brian Jeffries, Office of the Superintendent of Public Instruction; Tom Lopp, Public School Employees; and Dan Steele, Washington State School Directors Association.

Persons Signed In To Testify But Not Testifying: None.