

HOUSE BILL REPORT

HJM 4012

As Reported by House Committee On:
Education

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

Sponsors: Representatives Quall, Jarrett, Hunt, Linville, Santos, McDermott, Darneille, Kenney, Green, Schual-Berke, Rolfes, Morrell, Dunn, Lantz and Ormsby; by request of Superintendent of Public Instruction.

Brief History:

Committee Activity:

Education: 2/15/07, 2/20/07 [DPS].

Brief Summary of Substitute Bill

- 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: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Quall, Chair; Barlow, Vice Chair; Haigh, McDermott, Santos and P. Sullivan.

Minority Report: Without recommendation. Signed by 3 members: Representatives Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member and Roach.

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 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 Substitute 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.
- 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.

Substitute Bill Compared to Original Bill:

A finding that the NCLB represents a sweeping intrusion into state and local control of education is removed.

Appropriation: None.

Fiscal Note: Not requested.

Staff Summary of Public Testimony:

(In support) The NCLB has far-reaching implications for education. However, we are realizing that there is a lack of flexibility, particularly in the treatment of special education and non-English speaking students. The annual testing requirements also pose a significant burden on our schools. As the NCLB is up for reauthorization, we want to send a message to Congress to address these issues. Washington schools already test English language learners for their English proficiency on an annual basis, and they monitor student progress carefully. We do not want to deny these students educational opportunities, but it simply isn't right to make them take a test they can't complete. When a school hits year four of AYP, they must develop a plan for alternative governance. But test scores and AYP don't take into account challenging student populations. We want to be held accountable, but it should be based on an appropriate measure.

(Opposed) None.

Persons Testifying: (In support) Representative Quall, prime sponsor; Suzanne Mayer, Chinook Middle School, Highline School District; and Idalia Apodaca, Spokane School District.

Persons Signed In To Testify But Not Testifying: (In support) Karen Davis, Washington Education Association; Kyra Kester, Office of the Superintendent of Public Instruction; and Dan Steele, Washington State School Director's Association.