



## PRINCIPLES FOR THE 2015 REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

### *INTRODUCTION*

Education is the single most determinative factor shaping individual and national prosperity. It is through education that students build the knowledge and skills necessary to help them escape poverty, climb the economic mobility ladder, and become ready for the challenges they will face in college, work, and life. It is also through education that we will fuel innovation and ensure success for our nation's economy in an increasingly competitive world.

The No Child Left Behind Act of 2002 (NCLB) sent an enormously important message that it was no longer acceptable to simply excuse away low student achievement. All students can learn and succeed; states and schools must be accountable for results and be honest in reporting the results. Even critics of NCLB concede that the law helped to shift the definition of educational quality from how much is spent on our schools to how effectively our schools use those funds to improve student outcomes, especially for children from disadvantaged backgrounds.

Congress now has the opportunity – and the responsibility – to reauthorize the Elementary and Secondary Education Act (ESEA). This reauthorization should be driven by five fundamental themes:

1. [Reinforce state authority over education policy decisions.](#)
2. [Limit and focus the federal role.](#)
3. [Embrace research and innovation.](#)
4. [Modernize Title I to support portability, equity, and rewarding of success.](#)
5. [Promote choice measures designed to increase the availability of high-quality educational options and give parents the financial freedom to choose the school and courses that best meet their child's needs.](#)

Guided by these key themes, ExcelinEd has developed the following Principles for ESEA Reauthorization. We look forward to working with Congress and with our education reform partners around the nation to reform and modernize this historic piece of legislation.

## ***FIVE PRINCIPLES***

### **1. Reinforce state authority over education policy decisions.**

The performance of our education system is of national significance. Low performance weakens the ability of today's students to actively participate in our Democracy; undermines civil rights; weakens our national security; erodes the economic stability of the family and the nation; and, it hurts the ability of America's companies to succeed in the global economy. But these national interests are best met by embracing the dynamism of federalism. We need a federal law that supports state reform rather than states working to support a federal law. We believe in the role of sovereign states to set high standards and design their own innovative accountability systems. These state systems should recognize a range of school effectiveness and should select from a toolbox of state-determined interventions to turn around struggling schools. Reform plans will – and should – acknowledge the variability in education challenges and necessary solutions across states.

- A. Standards: States should continue to have the flexibility and responsibility to set high academic standards. The primary benchmark in school ratings should be their effectiveness in preparing all students to be college-and career-ready.
- B. Assessments: States must evaluate all students annually in reading/language arts and mathematics in grades 3-8 and once in high school on assessments aligned with state standards. States must evaluate all students in science one time in each grade span.
- C. Multiple labels for schools: States should be allowed to have rating systems that are not pass/fail, but instead use a variety of student outcome measures, including growth, to indicate a range of effectiveness, such as an A–F rating system.
- D. Interventions: States should be required to intervene in schools identified by their accountability systems but must have the flexibility to select the proven, effective interventions that will help all students succeed. States should have the freedom to leverage all reforms available within their toolboxes, such as recovery districts, reading interventions, choice programs, online learning, and others.
- E. Protecting state autonomy:
  - Prohibit the federal government from mandating, coercing, or incenting – through grants, contracts, waivers, or other agreements – a state's decision to adopt particular standards (including the Common Core State Standards), assessments, accountability systems, or curriculum. The federal government should also not do anything to hinder a state's adoption or implementation of its state-determined standards.
  - Prohibit the U.S. Department of Education from using funds to mandate, coerce or endorse particular standards, assessments, or accountability systems.
  - Prohibit the federal government from requiring states to have their standards or accountability systems approved or certified by the federal government.
- F. Waiver authority: Prohibit the U.S. Department of Education from denying a states' waiver request based on conditions outside the scope of the request.

## 2. Limit and focus the federal role.

From Washington, D.C., Congress and the U.S. Department of Education are not in a position to know how to operate individual schools, administer school programs, or select the right turnaround strategies. Even the most thoughtful and well-intentioned federal dictates will bear little resemblance to the policies that play out in schools and classrooms. The federal government should not mandate, approve, or take any action that even appears to coerce states to adopt a particular set of standards. Rather than prescribing regulations around state accountability systems and school turnaround interventions, the federal government should embrace a more appropriate role: transparent reporting of academic performance. Taxpayers and parents deserve to know where and how their tax dollars are being spent and whether these investments are helping students succeed. Therefore, we need annual statewide assessments, which allow for measurement of student growth, fair evaluation of schools, and empowerment of parents with the data they need to make informed decisions about educational options for their children. It is also why we need the “truth serum” provided by state participation in the National Assessment of Educational Progress (NAEP).

### G. Annual reporting: States and districts must annually report:

- Student achievement: Student achievement and growth disaggregated by race, ethnicity, gender, migrant status, English proficiency status, disability status, and socioeconomic status as required by current law; and disaggregated graduation rates.
- Teacher effectiveness: For states that implement teacher evaluation systems, the evaluation results for these educators.
- Finances: Actual per-pupil expenditures to provide parents and policymakers with information on the relationship between funding and performance.
- Use of student assessment data: Districts must annually provide a description to parents and the public of how information resulting from statewide assessments will be used by the district or any third party contracting with the district.

### H. NAEP: States must continue to participate in the National Assessment of Educational Progress (NAEP) to provide students, parents, and other stakeholders with “truth in advertising” regarding the rigor of their state assessments and proficiency standards and the meaning of their assessment results.

## 3. Embrace research and innovation.

If we want to give all our students the world-class education they need to compete in the global economy, we must embrace an array of 21<sup>st</sup>-century tools. And, we must do so in a way that does not trade innovation for accountability. ESEA should support opportunities to incubate new models of education in states, particularly in those that have demonstrated success with student performance. States and schools are exploring competency-based education systems that allow students to progress upon demonstrating mastery of the material rather than basing learning on a calendar year. Computer adaptive testing helps to identify not just if a student is proficient, but his or her precise level of achievement. ESEA must support these and other innovations in three ways. First, ESEA must continue to support the rigorous, scientifically-based research needed for evaluating which reforms and programs are working and which are not. Second, the law must support efforts to help accelerate the development of technologies and innovations to empower teachers and school

leaders. Finally, ESEA must accommodate innovations and emerging accountability, assessment, and instructional models.

I. Investing in research:

- The federal government should support the basic and applied research required to accelerate the development of technologies and innovations that promote improved learning.
- The federal government should also invest in the rigorous, scientifically-based research needed to know which reforms and programs are working and which are not.

J. Competitive grants: Require accountability in competitive grant programs; incorporate the principle that quality evidence of students' learning is a requirement for large awards.

K. Allowing for innovative assessment models:

- Federal law must allow for assessment schedules to be flexible and for students to demonstrate mastery when ready, particularly for competency-based models. Assessments can include computer adaptive tests that assess grade-level standards and adjust to students' performance levels.
- To promote development of innovative assessment models, including competency-based systems, states should be able to determine if annual student scores are based on one summative assessment or on the results of interim assessments given throughout the year combined with a summative assessment into a single annual score.
- States should have the opportunity to participate in pilot programs to support and substantiate innovative assessment models at the state or district levels.

L. Setting a high bar for innovative assessment models: For innovative assessment approaches and proposed assessment pilot programs, states must demonstrate – through an approval process utilizing a Federal Advisory Committee that increases access to technical experts while minimizing political influence on the decisions – that the assessments and combined results thereof are: valid; secure; aligned to state standards; testing a broad, representative range of state standards; comparable year-to-year to enable measurement of individual student growth; and comparable in depth, breadth, and results to traditionally used statewide assessments.

#### **4. Modernize Title I to support portability, equity, and rewarding of success.**

Title I funding is overly complex and bureaucratic. As a result, this \$14 billion taxpayer investment is failing to maximize its potential impact on the achievement of our most vulnerable and disadvantaged students. Title I should be modernized into a portable program that rewards states' success in improving student learning. There are enormous challenges involved with modernizing the program, but that should not be an excuse for failing to comprehensively tackle an underperforming funding program. While it appears that the upcoming reauthorization of ESEA will not include a complete overhaul of Title I's funding formulas and allocation rules, Congress should take immediate steps to maximize states' federal fiscal flexibility within existing rules and structures. A critical component of this modernization is rewarding success. Currently, Title I funds pay the same amount to states and schools

regardless of quality. Establishing a Title I Rewards Fund would allow states to earn additional funding that would be allocated to schools based on their ability to improve student outcomes such as raising student proficiency, increasing student growth, closing achievement gaps, reducing dropouts, or increasing graduation rates. Such an approach helps reward schools that successfully accomplish the core goal of Title I – helping improve student achievement.

- M. Consolidation and deregulation: Streamline ESEA funds by consolidating or terminating outdated, redundant, and ineffective programs. Eliminate the maintenance of effort requirement.
- N. Create a better, more equitable, portable Title I: Congress needs to significantly reform and modernize Title I into a funding program that supports state-led reforms targeting disadvantaged students while incentivizing states to raise the bar for all students. Although it is becoming clear that the current political process will not allow for a massive overhaul of Title I formulas and allocation rules in the upcoming reauthorization, Congress should make immediate improvements to Title I in the short term and take concrete steps toward full modernization in the future:
  - Immediate improvements:
    1. Create a voluntary program that would allow states to opt-into having Title I funds follow the child, permitting parents to select the education options that best meet their child’s needs. These portable federal funds could be combined with state and local funds to support state choice programs, including education savings accounts, public and private school choice, charter schools, online education, and course access programs.
    2. Reform the “supplement not supplant” requirement. Districts should no longer have to demonstrate that every individual cost or service provided to a Title I school is supplementary. Instead, a district should simply demonstrate that its allocation methodology for state and local funds does not take a school’s Title I status into account.
  - Create a National Commission of state leaders, education funding experts, civil rights leaders, and other student advocacy leaders to evaluate and report to Congress on how to achieve full Title I modernization and advise states on effective implementation of the proposed changes. The report should address the following:
    1. Weighted student funding. Under a modernized Title I, funding should follow eligible students to the schools and providers of their choice. The per-student funding should be combined with state and local funds and should vary by the characteristics of the child. Students with greater educational needs should receive additional funding above the base amount. Once schools receive these funds, schools ought to have the autonomy to spend their funds in ways that meet the unique needs of their students.
    2. Performance-based Title I rewards. A modernized Title I should also create rewards for states to improve outcomes, especially for the disadvantaged students Title I is designed to support. In the future, the base amount of Title I funds should be distributed according to the weighted student funding formula described above. A separate Title I Rewards Fund could

allocate additional funding to states that show improved performance and growth (as benchmarked by the state's test and validated by NAEP results) as well as closing achievement gaps.

- O. Increase state flexibility: Increase the state set aside percentage for school improvement within Title I, Part A to enable states to expand their systems of support for low-performing districts and schools and establish or expand state school choice programs.
- P. Empower states: Redirect existing funding to enable states to reward districts and schools that are demonstrating exemplary improvement in student outcomes, including proficiency, growth, and/or closing achievement gaps.
  - o States should identify reward schools and districts based on criteria within their state-determined accountability systems.
  - o States may determine the size, number, and nature of the rewards, which could include financial incentives to teachers and staff.

## **5. Promote choice measures designed to increase the availability of high-quality educational options and give parents the financial freedom to choose the school and courses that best meet their child's needs.**

Today, there are more than 20 states with school choice programs, 42 states have charter school laws, 26 states have statewide virtual schools, and 11 states have laws supporting course access programs. A modern ESEA must reflect and support these growing reforms that provide students with high-quality educational options at both the school and the course level. ESEA should allow funds to follow each child to help him or her assemble the portfolio of educational services that meet his or her unique needs and leverage his or her full potential.

- Q. Funding follows the child: Allow states to opt into a "funding follows the child" model in which states would allocate all or a portion of their Title I funds to districts based on the number of low-income students living in the district. Districts would then distribute funds to public or private schools based on the number of low-income students choosing to attend that particular school.
- R. Choice grants: Allow states to set aside a portion of Title I, Part A school improvement funds for a state-run competitive grant program. States would award grants to districts and/or charter management organizations (CMOs) that offer: innovative public and/or private school choice models, high-quality course access models, or effective tutoring programs.
- S. Charter schools: Strengthen and modernize the Charter School Program by protecting charter school autonomy, supporting the replication and expansion of high-quality charter schools, allowing charter schools to use start-up funds more flexibly, and encouraging states to provide more equitable funding for charter schools.
- T. Course access: Support state course access and online learning programs by allowing states to direct federal Title II and AP Incentive Program funds toward the establishment or expansion of course access programs.
- U. DC Opportunity Scholarship Program: Authorize and fund the DC Opportunity Scholarship Program.