



October 5, 2011

Senator Lamar Alexander
United States Senate
Washington, DC 20510

Dear Senator Alexander:

On behalf of the 3.2 million NEA members working in schools and classrooms across the country, we would like to offer our initial comments on your package of ESEA reauthorization bills.

The key to a successful ESEA reauthorization will be whether educators can feel a real difference in their schools and classrooms between No Child Left Behind and the new law. There needs to be a significant shift away from the obsession with poor-quality standardized testing toward an effective, meaningful accountability system that identifies struggling schools and targets resources where needed most. We believe many aspects of your proposals reflect a positive step forward toward these goals; however, we have some real concerns--the most prominent of which is the elimination of the "savings clause." This important provision protects educators' rights to have a voice in their workplace through collective bargaining and other agreements. We firmly believe that any sustained and systemic improvements to our public schools will require educators to be full partners with administrators, parents, students, elected officials, and community members. We are all accountable for the progress of our schools and students; therefore, we must all have a voice in the process. We look forward to a continuing dialogue with you and the other members of the Senate HELP Committee on these critical issues.

We are pleased that your ESEA package **addresses the current unworkable accountability system** and proposes a number of changes designed to ensure more meaningful accountability. Many of your proposed changes mirror those NEA has long sought. Educators, parents, and policymakers on all sides of the political spectrum agree that the current system is deeply flawed and has failed to meet the essential goals of a real accountability – to identify schools in need of assistance and provide a system of effective interventions to help them succeed. We are particularly supportive of the proposal to allow IEP teams to determine how best to assess students with special needs.

We also strongly support your proposal to **retain disaggregation of data** in order to monitor achievement gaps. Shining a light on these persistent gaps is necessary and will help ensure that accountability systems continue to prioritize closing them. We do also hope; however, that as much attention can be paid to reporting and monitoring gaps in educational opportunities, access and resources. The collection of disaggregated data helps to illuminate these gaps and identify where additional targeted resources and interventions are needed.

We are also very pleased that your ESEA package **mandates multiple measures of student achievement, emphasizes higher order thinking, and increases flexibility for testing of students with special needs**. NCLB's undue emphasis on federally mandated, narrow standardized student assessments as the primary accountability yardstick has led to mislabeling

and sanctioning schools based on snapshot, high-stakes tests, in addition to providing inadequate funding and support for struggling schools. Requiring use of multiple measures of student achievement will allow for a more continuous system designed to improve instruction rather than punish schools. In addition, it will promote student access to a comprehensive and challenging education and promote learning of deep understanding and complex skills necessary in the 21st century.

Finally, we support your **proposals regarding teacher quality** that would modify the punitive and rather arbitrary nature of the “highly qualified teacher” sanctions, emphasize involvement of educators in needs assessment and compensation-related decisions, foster multiple careers and pathways for teachers, and advance family-community-school partnerships. A growing body of research confirms what school-based personnel have known for years—that the skills and knowledge of teachers and education support professionals are the most important factors in how well students learn in the classroom. Respecting teaching as a profession, removing arbitrary sanctions, and ensuring educators have a voice in decisions impacting them are essential to retaining the high quality teaching force our students deserve.

We also commend you for recognizing that teacher evaluations are best done collaboratively at the state and local level. In no other profession, does the federal government dictate to governors, mayors, superintendents, or other officials how they must evaluate their employees. Similarly, the federal government does not tell CEOs how to evaluate their employees. In a country as large and diverse as the United States, one size does not fit all. States all have different labor and employment laws. And, what works in a rural school district may be vastly different than what is effective in a large urban area. Crafting a national evaluation system that works in all these settings would be impossible. We do not discount that the federal government has a right and interest in ensuring a high quality workforce for our nation's students. As such, we believe the federal role should be limited to ensuring that states attest that every school district has a rigorous, comprehensive system developed jointly between school districts and educators and designed to improve the practice of teaching and quality of instruction delivered to students.

We do have a number of concerns with your ESEA proposal. We hope to be able to continue an open dialogue with you on these and other issues as ESEA reauthorization moves forward:

- **Elimination of the “savings clause,” which protects educators’ rights to have a voice in their workplace through collective bargaining and other agreements.** Collective bargaining rights allow educators to raise concerns about class size, school safety, and other teaching and learning conditions. ESEA reauthorization must not undermine educators’ rights to have a voice in what happens in their schools and classrooms.
- **Lack of accountability and transparency for charter schools:** NEA supports high-quality charter schools that: operate in a manner that is transparent and accountable to parents and taxpayers; do not increase segregation by family income, ethnicity, or race; and solicit and benefit from input from parents, school staff, and the communities they serve. Charter schools must be held to the same accountability standards as other public schools, and should have to answer to parents and taxpayers for all of their funding sources. There should be clear requirements for charter school authorizers to work directly with charter schools to conduct annual financial audits. In addition, there should be quality control measures that require authorizers to meet or exceed the principles established by the National Association of Charter School Authorizers. States should require charter schools to disclose publicly all funding sources (including non-public), student attrition rates, and student demographic characteristics. We are also very concerned about the proposal in your package to allow direct federal funding of charter management organizations.

- **Failure to address adequately core teacher pipeline issues:** Infusing the educational system with great educators requires paying attention to each segment of the educator pipeline—from promoting education as a career and rigorous standards for entry into the profession, to induction and placement, certification and licensure, mentoring, professional development, advancement, and retaining accomplished educators. We must develop systems to recruit top undergraduate students and professionals leaving other professions, to prepare them effectively, and to nurture and safeguard their path to education careers.
- **Proposals to block grant and freeze core education funding:** We are concerned that your plan proposes to block grant Titles II and IV, allowing unlimited transfer of funds out of critical areas such as teacher quality and school safety. We are also very concerned about your proposal to freeze federal education funding for the next five years well below authorized levels. Congress must provide needed investments in core education programs that will help students succeed and set our nation on the path to economic prosperity.

We thank you for the opportunity to provide these comments on your ESEA proposals. We look forward to working with you on these important issues in the coming months.

Sincerely,



Kim Anderson
Director of Government Relations



Mary Kusler
Manager of Federal Advocacy

cc: Members, Senate Health, Education, Labor, and Pensions Committee