



American Federation  
of Teachers, AFL-CIO

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AFT Teachers  
AFT PSRP  
AFT Higher Education  
AFT Public Employees  
AFT Nurses and Health  
Professionals

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April 14, 2015

Committee on Health, Education, Labor, and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Senator:

I write on behalf of the 1.6 million members of the American Federation of Teachers to express our views on the Every Child Achieves Act, the Alexander-Murray bipartisan proposal to reauthorize the Elementary and Secondary Education Act.

At the beginning of this reauthorization process, the AFT called on policymakers to reclaim the original purpose of ESEA—helping children, particularly those at risk—and to end the testing fixation. Students throughout America, their families and their educators, including AFT members, have been living under the restraints of the current version of ESEA, known as No Child Left Behind, for more than 13 years, and they are desperate for relief.

By listening to educators and parents—those closest to our kids—Senate Health, Education, Labor and Pensions Committee Chairman Lamar Alexander (R-Tenn.) and Ranking Member Patty Murray (D-Wash.) have worked together in a way that recognizes public education as a central force in our country that transcends party lines, and they have put forth a bill that heads in the right direction.

The Every Child Achieves Act will end No Child Left Behind, Race to the Top, ESEA waivers and the aspects of these policies that have left a destructive, divisive climate that has affected our schools, our students, our educators and our communities. While maintaining annual tests, it will end their use as a sanctioning device that punished schools, students and staff, rather than informing instruction and triggering the interventions and investments needed to help all students succeed. The ECAA will end a system that has been shown to narrow curriculum to what is tested, reduce opportunities for higher-order thinking and hurt the very educators who stepped up to work with our most at-risk and high-needs children.

Instead, the ECAA will recalibrate the federal role in America's schools: It will protect ESEA's original intent of mitigating poverty and addressing education equity, and moves away from the counterproductive focus on sanctions, high-stakes tests, federalized teacher evaluations and school closings.

While the AFT believes the bill provides a strong foundation, we do have some specific changes that we believe could strengthen the bill as it moves through the Senate.

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The **American Federation of Teachers** is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.



### Equity/Targeting of Resources

By keeping maintenance-of-effort and the current formula for Title I that concentrates funding for poor children, and by excluding portability and not block granting major programs, the bill protects the law's original intent of 50 years ago: to target services to districts and schools serving high concentrations of disadvantaged children. These schools need more support to serve their students, who often must overcome obstacles such as poor nutrition, limited access to high-quality early childhood education and healthcare, and other factors that impede learning, including language acquisition.

**Increasing access to high-quality early childhood education is a key area in which the AFT believes the bill can be strengthened.** As we know from Gormley, Phillips and Gayer, preschool programs can boost school readiness.<sup>1</sup> Nobel Prize-winning economist James Heckman and others have found that early childhood education has the potential to boost graduation rates, ensure children build a sound foundation in reading and math, reduce teen pregnancy and even reduce violent crime. It helps put children on a solid path for success both in school and in life; it is how we help level the playing field in this generation for disadvantaged children.<sup>2</sup>

Just like 50 years ago, today resources that are well invested to meet the needs of students confronting an ever-changing world are vitally important, especially if they are going to meet high standards. While the AFT is pleased that the bill requires states to report on how they will address school climate issues, which may include providing technical assistance in reducing school violence and bullying, **we would like to see states also be required to report on access to the core resources necessary to achieve college and career readiness by high school graduation and to develop plans to address any identified resource gaps.** These include adding access to up-to-date instructional materials, technology and supplies; effective school library programs; school facilities and technology, including physically and environmentally sound buildings and well-equipped instruction spaces; effective family and community engagement programs; and specialized instructional support teams, such as counselors, social workers, nurses and other qualified professionals.

Given that English language learners are one of the fastest growing student populations, the AFT is pleased that the bill demonstrates a commitment to the academic and language needs of ELLs, shows great awareness of what educators need to be prepared to work with them, and promotes equity. We're encouraged to see that this effort to reauthorize ESEA includes funds for professional development for general education/mainstream educators who have not worked with ELLs, and well as funds to improve the recruitment, retention, mentoring and induction programs of educators who teach both ELLs and ELLs with disabilities. **Given that we live in a globally competitive world, the AFT would like the ECAA to encourage high-quality bilingual education programs.**

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<sup>1</sup> <http://nieer.org/resources/research/Gormley062708.pdf>

<sup>2</sup> James Heckman, "Policies to Foster Human Development," working paper 7288, Cambridge, Mass.: National Bureau of Economic Research (1999).

The AFT is pleased the bill maintains the provision that allows for Title II funds to reduce class size. Research shows that smaller class sizes lead to better educational outcomes, especially for disadvantaged students who benefit from more individualized attention.

We believe the community school model is a key investment that helps schools help the whole child and that child's family, and as such, the AFT is very supportive of the focus on wraparound services for students in Title IV of the bill, Safe and Healthy Students. We are particularly pleased with the requirement to implement a needs-assessment process that involves parents, community partners and schools. The language reflects the community schools model, which has demonstrated a positive impact on student achievement and the ability to address the challenges created by poverty. The AFT has learned from our experiences with community schools in Baltimore and in McDowell County, W.Va., that having the services coordinated is critical and should not be lost because of funding or as districts focus on their most pressing needs. To address this concern, **the AFT supports adding language that requires local educational agencies to hire or identify a coordinator to manage the needs assessment and coordination of activities allowed in Title IV.**

**The AFT opposes the increase in the transferability provision between Titles II and IV and believes the amount that can be transferred between these programs should remain at 50 percent of funds, as under current law.** Allowing up to 100 percent of these funds to be transferred from these programs undercuts the ability to target funds that serve specific populations.

#### Accountability

The AFT is pleased the bill recognizes that the federal sanctions that characterized NCLB, the Race to the Top program and the waivers authorized by the Obama administration were unworkable and eliminated those programs' damaging and ineffective provisions. Where the focus on equity has helped close the achievement gap, the NCLB/Race to the Top testing strategies did not. Between 1973 and 1986, the achievement gap between black and white students closed by 22 points in math and 28 points in reading. Yet since 2002, during the time in which these strategies have been in place, according to an assessment conducted by the Program for International Student Assessment, U.S. performance has slowed. AFT members know why: The test-and-punish system doesn't work.

The bill recognizes that the current system is taking the joy out of teaching and learning and narrowing the curriculum. In addition, the rigidity in the last several years has stymied innovation around what constitutes meaningful indications of student learning. For example, the acquisition of skills obtained through career and technical education are not counted through rigid "adequate yearly progress" measures.

Accordingly, we are pleased that under this bill, there is no longer a rigid and unworkable AYP accountability system, mandatory sanctions or school closings. Instead, accountability must be based on more than test scores, and assistance for low-performing schools will be developed at the local level.

**The AFT believes that the role of tests should be further de-emphasized and language that would require states to audit and end duplicate testing requirements should be included. We also believe that states should be given the explicit option of only using tests from once per grade span in accountability systems if that is the approach agreed upon by stakeholders.**

**The bill should further de-emphasize tests by requiring that additional measures, such as measures of student engagement and measures of school climate, be added as required elements of state-designed accountability systems.** The broader the assessment of how schools are performing, the more accurate a picture of a school's performance. We support the bill's allowance that assessments may be partially delivered in the form of portfolios, projects or extended performance tasks, and the inclusion of a demonstration pilot for innovative assessments and accountability systems.

We are pleased that the bill includes language allowing for an innovative assessment pilot. **The initial pilot should have the potential to be expanded beyond the currently allowed five states, though we are pleased that more states would have the opportunity to take advantage of this opportunity after the initial three-year demonstration period.** We are concerned that some of the language is too restrictive to allow for true performance assessments such as those that are administered as part of the New York Performance Consortium, a group of schools that have higher college-going and college-persistence rates than comparable schools in New York state. This pilot should provide the maximum flexibility for states that wish to participate.

**The AFT supports adding provisions that would require school districts to provide information to parents at the beginning of the school year on mandated state and local assessments and on any school district policies on participating in such assessments.** This would provide transparency around the quantity of assessments children will be subjected to, as well as provide parents with information on their district's policies around opting out of assessments. Given the increasingly corrosive effects of testing recently, the AFT also supports parents' right to opt their children out of assessments, and the federal education law should ensure that states and districts fully disclose test participation policies.

We are pleased to see the law allowing English language learners up to three years to take language arts assessments in their native language before taking such tests in English. This is a significant step toward more appropriately assessing English learners and better aligns with what research shows and educators know: that it takes time to learn English.

The AFT supports the flexibility the bill provides states in terms of developing intervention strategies. School improvement initiatives should be neither narrow nor rigid. School closures are not the answer. Research shows that two-thirds of the achievement gap is still due to factors outside school. To combat this, school systems should be able to choose, with input from school staff, from a variety of strategies and provide evidence that the strategies selected are those suited to the school and community.

The AFT is pleased that the bill supports stronger transparency and authorizing standards for charter schools. For example, under this bill, the approval, continuation or revoking of a charter authorizer's authority would be based on student achievement, financial management and student safety, while the charter of schools themselves will be reviewed based upon student achievement. To provide better information to parents, charter schools would have to post information on student support services, parent contract requirements—including any financial obligations or fees—enrollment criteria, and annual performance and enrollment information on their websites. The bill also provides an increased focus on fiscal oversight and on ensuring that students from all demographic groups are recruited, supported and retained at charter schools.

### Supporting Educators

Research shows that the variance in student achievement that can be directly attributed to the teacher is 10 percent. Nonetheless, we know that teaching quality is a crucial factor for student achievement and that teachers have an impact far beyond test scores. That's why we must remain steadfast in ensuring there is a well-prepared and well-supported teacher in every classroom.

New teachers should be inducted into the profession with intensive professional development, support and mentoring through a high-quality peer assistance and review program, and through ongoing review during the initial period of their careers. Veteran teachers need career opportunities that, while keeping them in the classroom, allow them to share their experience and expertise. And there need to be fair, collaboratively developed evaluation systems provide ongoing, constructive feedback to teachers.

But while some of this is taking root throughout the country, we have learned, particularly in the wake of waivers and Race to the Top, that the federal government should not be the human resource department of every school district in America. Teacher evaluation systems should be voluntarily developed and are best left to be made at the state and local levels. That is why we fully support the provisions in the bill to end the federal mandate of teacher evaluation and prohibit its back door implementation through waivers.

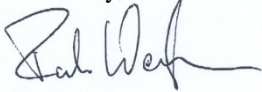
To this end, the AFT is also pleased that the bill includes collective bargaining protections in both Titles I and II. Through strong labor-management relationships, union and school leaders can drive teacher quality, and advance student and school improvement. All stakeholders—union leaders, administrators, policymakers, parents and the broader community—can and should work together and be collectively responsible for our education system.

In addition, the AFT is pleased that paraprofessional qualification standards have been retained in this bill. These requirements are important, as it was the creation of the standards that finally stopped school districts from hiring paraprofessionals with little experience in education. The standards also ensure that paraprofessionals receive appropriate training, professional development and supports so they can best work with students and teachers.

The Senate bipartisan framework is a big deal—it shows that people can transcend party lines to once again commit to ensuring public education is the ladder of opportunity for all children. This is just the beginning of a process; the road is long, and many issues still need to be addressed. We are attaching a list of AFT priority amendments to this letter that further clarify specific improvements we would like to see in the bill.

This bipartisan Senate framework and leadership on reauthorizing ESEA is significant for our kids. The AFT looks forward to working together toward a final ESEA that can honor its historic mission once more, injecting innovation, creativity and the joy of learning back into our public schools, and leveling the playing field so that all our students have the opportunity to dream their dreams and achieve them.

Sincerely,

A handwritten signature in black ink, appearing to read "Randi Weingarten". The signature is fluid and cursive, with a long horizontal stroke at the end.

Randi Weingarten  
President

RW:emc opeiu#2 afl-cio



*A Union of Professionals*

## American Federation of Teachers Priority Amendments

### The AFT urges support for the following amendments.

**Baldwin I.1:** Support state audits of testing to identify and reduce duplicative, unnecessary and invalid assessments.

**Baldwin I.2:** Add career and technical education attainment to state report cards.

**Baldwin I.5:** Require states to measure the provision of key resources needed to improve student achievement and to implement plans to address any identified resource gaps.

**Bennett, Casey and Whitehouse I.3:** Provide parents with clear information about testing, including the purpose of the test; identification of the federal, state or local law, regulation, or policy that established the requirement for the assessment; and the amount of time students will spend taking the test.

**Casey, Murphy and Warren II.2:** Provide supports to enhance the teaching profession and ensure that all educators are well-prepared to enter the classroom.

**Casey and Kirk IV.1:** Protect public school students from bullying, harassment and discrimination.

**Collins and Sanders I.1:** Make improvements to the Innovative Assessment Demonstration program.

**Franken All.1:** Protect public school students from bullying, harassment and discrimination based on sexual orientation or gender identity.

**Isakson I.1:** Ensure that federal law does not trump state or local test participation policies.

**Kirk I.1:** Require an “opportunity dashboard” for districts and schools showing indicators of student access to supports and resources.

**Murphy I.2:** Clarify that Title I funds can be used to increase compensation for early education workers.

**Sanders I, II, III.1:** Authorize specific funding levels for Titles I, II and III, a crucial amendment given the growing number of public school students living in poverty.

**Warren I.5:** Require states reporting on their teacher and leader evaluation systems to also describe how the systems use reasonable and reliable measures.

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We also support the amendments to reinstate the following programs: 21st Century Community Learning Center Grants; Project SERV (School Emergency Response to Violence); literacy and arts programs; school libraries; school counselors; physical education; science, technology, engineering and math (STEM) programs; Ready to Learn; and Javits Gifted and Talented Students Education Program.

**We ask you to oppose any amendments that revert to a test-and-punish No Child Left Behind accountability system.**

**Finally, we urge senators to oppose any amendments that would provide for public or private school portability, such as those amendments filed by Sens. Alexander, Paul and Scott, as well as to oppose any amendments that would provide for private school vouchers, such as the amendments filed by Sen. Scott.**