

Statement of Dr. Paul Kimmelman

Before the Subcommittee on Education Reform

Hearing on “No Child Left Behind: Successes and Challenges of Implementation in Urban and Suburban Schools”

August 28, 2006

Good morning, members of the committee, and thank you for inviting me to appear here today on behalf of Learning Point Associates, a nonprofit educational organization. Learning Point Associates has federal contracts to operate the Great Lakes East and Great Lakes West Comprehensive Assistance Centers, the National Comprehensive Center for Teacher Quality, and REL Midwest. All are guided by the mission of assisting with the implementation of the No Child Left Behind Act and, ultimately, to work in partnership with educators to ensure successful high-quality education opportunities for all students regardless of ethnicity, disability, socioeconomic status, or where they happen to attend school.

I would like to offer a special acknowledgement to Congresswoman Judy Biggert for her encouragement for Learning Point Associates to establish an NCLB Implementation Center. That Center has been piloting work with several Illinois school districts as well as districts in Wisconsin and Indiana. We are assisting those districts with using data-driven decision making to improve student achievement, planning research-based professional development to improve the quality of teaching, and complying with the highly qualified teacher provisions of NCLB. We also are working within the policy framework of NCLB to offer informed consultation to those districts so they can make recommendations to Congress when the Act is reauthorized.

I have been asked to discuss today the elements of NCLB, particularly in Illinois, that are working and the areas that may need to be improved. It would be safe to conclude that the NCLB challenges confronting Illinois schools are similar to those in other states. Therefore, most of my comments will be more general in nature unless I specifically refer to an initiative in Illinois.

First, I have had the good fortune to work in an organization that is committed to helping educators use evidence-based solutions to raise the achievement of their students. I also work as an adjunct instructor at Argosy University, a nontraditional for-profit university with campuses across the United States. Because some of Argosy’s classes are taught online, these education students can share a national perspective on NCLB issues. I have found that when these students reflect on the law and gain a greater understanding of its provisions, they tend to be more supportive of it. Finally, as an organizational member of NEKIA, the National Education Knowledge Industry Association, I am working with colleagues from a variety of organizations who are pursuing knowledge-based solutions to education issues.

Rather than attempt to “broad brush” the entire law today, I will focus on a few points that I believe are informative for this hearing. More detail regarding these points can be found in my written testimony. Those points are as follows:

1. Congress should “stay the course” on its policy process to transform American schools and ensure a quality education for every child. Although NCLB has its critics, you have begun the long-term process of improving American education through a bold, bipartisan policy initiative that was needed to bring the type of accountability changes you were seeking in schools. The fact that 381 Representatives voted for NCLB indicates that it was an important national issue in the House.
2. Although you have often heard the request for more funding, what you are seeking from NCLB will require a greater investment in research and development to provide the knowledge and support state education agencies and local school districts will need to truly meet the educational needs of the highly diverse learning requirements of America’s students. Congress and the U.S. Department of Education are to be commended for the new plan for research through the Institute of Education Sciences and technical assistance through the Comprehensive Assistance Centers. The structure for implementation may take some time, but it is fundamentally sound. The real issue is whether there will be enough funding to support creating new scientific knowledge about education and moving it to the field.
3. As you prepare to reauthorize NCLB, keep in mind that systemic change of this type takes time. Rather than make major changes to the law, be patient and make small changes based on logical, evidence-based recommendations. You have come too far in the process—and states and schools have started to make the required changes needed to comply with the law—to radically change NCLB and expect everyone to start over again. Some of the needed changes should address the adequate yearly progress formula and how it is calculated for students to be successful, the provisions for a highly qualified teacher, the sanctions concept to make it more practical and definitive, and “connecting the dots” to ensure that U.S. education is about preparing students for the 21st century global competitiveness that Congress has discussed this year. The traditional school model of today is in need of substantive, visionary thinking that makes use of technology and research in new and different ways.

I would like to begin by saying perhaps the most important point to emphasize regarding the implementation of NCLB—not only in Illinois but across the nation—is that Congress in a significant bipartisan cooperation raised the stakes for schools to improve when it first passed NCLB. In a book I wrote on NCLB that was released at a Capitol Hill reception this year, I noted that since the Soviet Union launched the first space satellite in 1957 and Congress said our country was “falling behind” because of our education system, there have been numerous recommended education reform initiatives with very

limited success. Many of those recommended reforms were correct in their call for states to implement rigorous academic standards and valid assessments to determine if students were meeting them. States also have been called on to eliminate achievement gaps and ensure that students from all demographic groups are successful in school as well as to help America's teachers be well trained and qualified to meet the needs of 21st century students. It isn't a coincidence that those reform recommendations finally found their way into a federal law that ensured a serious commitment to the reforms by those who are recipients of federal funding. Clearly, America's schools must move from their traditional industrial model to one that evolves consistently and is adaptable to new education research and programs that are proven to work. Without Congress raising the stakes for schools to concentrate on improvement through NCLB, much of the good reform work going on in schools today would not be as prevalent. While unfortunate, it is difficult—if not impossible—to reform a system without consequences. It took the vision of a bipartisan Congress to initiate the reform process, and it is that vision that will help make future adjustments to the law to make it more effective based on the evidence and professional wisdom of those who propose changes during the reauthorization process.

With nearly 15,000 public school districts in the United States and approximately 900 in Illinois, it would be more speculation than fact to state exactly how the implementation of NCLB is going. However, there is no doubt regarding the work that schools must do—and in most instances, are doing—to successfully meet NCLB provisions and comply with the fundamental underpinnings contained within it.

There is a much greater emphasis by educators on using appropriate data to inform decision making for monitoring the academic progress of students. There is more recognition of the need for ensuring that qualified teachers are teaching core subjects and that they are better distributed throughout all schools and districts. Although the process is not moving as rapidly as hoped, there is evidence across the nation that progress is being made on these two critically important tasks. That is the plus side of the coin. Congress got it right when it illuminated these two critical responsibilities as undeniable requirements for high-quality schools.

I also think it is appropriate here to weave in what could be improved. It is likely that when Congress reauthorizes the law, it will be presented with a number of new ideas or concepts to determine the adequate yearly progress of students. There is considerable discussion regarding value-added assessments and not relying on one test to determine AYP. That discussion should be recognized as a positive result of the NCLB implementation process. Listening to witnesses offer evidence-based ideas on how to monitor the progress of students using data in different ways only means that the education profession is maturing and improvement should be ongoing.

The teacher qualifications provision under NCLB is creating more substantive debate regarding what really constitutes a highly effective teacher. The starting point for the debate was NCLB and the key provisions for a highly qualified teacher: a bachelor's degree, full state certification, and subject-matter competency. During reauthorization, it may be that other evidence-based suggestions will emerge and contribute to even better

provisions to determine not only who is highly qualified but what might be *effective* teaching as well. Regardless, there is clearly more discussion needed on how to improve the preparation of teachers, their ongoing professional development, and alternative pathways for those who want to become teachers. I had an opportunity to meet with U.S. Representative George Miller on this topic, and his passion for helping teachers be more effective is sincere and legitimate.

By working diligently with some pilot districts, the NCLB Implementation Center at Learning Point Associates has learned in real time and real situations how difficult it is to implement research-based professional development. Our pilot school districts, while geographically located in a relatively small Midwestern area, have demonstrated to us the importance of being able to customize our work to meet their unique needs.

So, as far as data and highly qualified teachers are concerned, I see the glass as half full. Congress was correct in finally ensuring that the Elementary and Secondary Education Act was going to be implemented with integrity and accountability. It would be my suggestion that Congress now focus on the “big policy picture” and delegate more responsibility to the Secretary of Education to make more specific detail decisions with respect to implementation, and when appropriate, to “tweak” the rules and regulations to ensure a smoother implementation of the law.

For example, depending on the timing of the reauthorization, there could be a significantly large percentage of schools not making AYP that are for the most part good and effective schools. The reason for this phenomenon is the larger percentage increases under AYP in the states coming in the later years of the 12-year goal for 100 percent proficiency. If the requirements and sanctions are not modified and the reauthorization is delayed beyond 2007, it is possible that a large number of schools will fall under the more punitive sanctions in communities that will actively oppose them. This will result in those communities debating the law and not focusing on the needs of the students who were intended to be protected by it.

From a policy perspective, the Legislative Education Network of Dupage County—a group in Representative Biggert’s Illinois district—has worked diligently to support NCLB and to propose changes to it based on evidence and the group’s experiences in trying to implement it. This isn’t a group trying to avoid its responsibility to all students.

In Illinois Congressman Mark Kirk’s 10th District, the education advisory board recommended technical corrections to the law that are consistent with most of the recommendations being made around the country by education groups. Those recommendations include reviewing the “broad-brush” sanction provisions for schools that are making progress but perhaps not making AYP for a small subgroup, extending the time to meet the highly qualified teacher provisions for hard-to-staff subjects, and reviewing how many times one student can count in a subgroup.

In Chicago, School CEO Arne Duncan is pursuing a number of reform concepts that will potentially result in continuous improvement in one of our nation's largest school districts. Mr. Duncan has offered visionary leadership to meet the goals of NCLB.

In the book on NCLB that I wrote, I suggested that it was more important to focus on building the organizational capacity in schools using a knowledge model than simply focusing on meeting the specific provisions of the law. My thinking is that school leaders need to emphasize systemic school improvement that is going to lead to improved student achievement, a better learning environment that motivates students to learn and remain in school, more sophisticated data systems to inform their work, and professional development for teachers that will help them be more effective. That means using knowledge acquisition, management, and implementation.

There have been a number of major U.S. companies that were faced with the possibility of going out of business, but they found a way to transform their work and compete in a global environment. Congress has set the stage for schools to improve and NCLB has begun to change the culture in education to focusing on improved achievement for all students. The light at the end of the tunnel is still distant, but it is getting brighter. By holding schools accountable and making reasonable modifications to NCLB during the reauthorization, by the year 2012 the United States may not have achieved the intended goals but will likely have made substantial progress toward them. It will take patience and I applaud you for your vision and leadership to ensure that all students in this country have an opportunity to compete in a global environment by ensuring they receive a high-quality education.

Let me conclude by saying that the last few reauthorizations of the Elementary and Secondary Education Act have been an evolution from standards to accountability. That process has consumed more than 10 years. As you begin the next reauthorization, it would be meaningful to incorporate the concept of using knowledge-based solutions in conjunction with the work of the Institute of Education Sciences and other organizations working on credible research and development that will help educators be more successful implementing the accountability provisions of the law. What is most important is that you remain patient but stay the course.

Thank you for the opportunity to be here today. Your commitment to education is important and your interest in knowing about the progress of NCLB is apparent through your willingness to schedule these hearings.