

MAR 09 2007

SENATE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AMENDMENTS TO
THE NO CHILD LEFT BEHIND ACT OF 2001.

1 WHEREAS, the United States Congress must decide in 2007
2 whether to reauthorize the No Child Left Behind Act of 2001 or
3 let it die and replace it with a new law; and
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5 WHEREAS, the No Child Left Behind Act, while purporting to
6 create an accountability system for public schools, has in
7 reality been an enormous financial and programmatic burden on
8 schools and taxpayers; and
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10 WHEREAS, even if states and schools are satisfied with
11 their educational programs and outcomes, they are forced to
12 participate in this top-down system in order to continue to
13 receive federal funds for education, such as Title I funds; and
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15 WHEREAS, educators in private schools, even those who
16 enroll poor students, have chosen not to spend their time or
17 money following the No Child Left Behind Act's testing system,
18 and, as a result, have frequently outperformed public schools;
19 and
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21 WHEREAS, the No Child Left Behind Act's narrow focus on the
22 "basics" has discouraged the implementation of best practices
23 and cutting edge educational research in order to achieve higher
24 test scores; and
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26 WHEREAS, the goal of achieving one hundred per cent
27 proficiency by even special education students is unrealistic,
28 the pursuit of which channels millions and millions of dollars
29 into remedial programs that detract from the overall school
30 environment; and
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32 WHEREAS, the requirements of the No Child Left Behind Act,
33 penalize schools who enroll students who have inherent



1 educational deficiencies and who, regardless of their progress
2 at the school, remain below No Child Left Behind established
3 standards; and

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5 WHEREAS, while there has recently been some interest in the
6 development of so-called "growth models" to recognize the
7 contributions of a school to individual students over time, the
8 lack of adequate funding and the prohibition against states
9 developing their own growth models has rendered this initiative
10 almost meaningless; and

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12 WHEREAS, the No Child Left Behind Act does not provide
13 additional funds for teacher education or training if a school
14 is in "status" or under restructuring, which creates a punitive
15 environment with little commitment on the part of the federal
16 government for school success; and

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18 WHEREAS, in the calculation of Adequate Yearly Progress,
19 there appears to be no points or benefit if a school engages in
20 meaningful educational innovation or research; and

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22 WHEREAS, while there is some support for the alternative
23 educational environments created by charter schools, these
24 innovations do not appear to be recognized in the assessment
25 environment, assuming that the accountability systems
26 appropriate for traditional schools with large bureaucratic
27 support systems apply equally well to charter schools; and

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29 WHEREAS, the No Child Left Behind Act has often channeled
30 countless dollars and hours into high-stake testing, which has
31 benefited private testing companies but which has not engaged
32 the local educational community in this endeavor; and

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34 WHEREAS, the No Child Left Behind Act appears biased
35 towards a one-size fits all multiple choice testing system, and
36 tends to ignore other means of engaging and assessing students
37 such as project-based, hands-on, or problem-solving
38 demonstrations of competency; and

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40 WHEREAS, the federal No Child Left Behind Act has driven
41 many schools and school systems into a narrowing of curriculum,
42 often focusing on only math or English, to the detriment of a
43 broader range of subjects and experiences, most notably the
44 arts; and



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2 WHEREAS, the United States Department of Education has
3 shown little or no interest in creating incentives among
4 colleges and universities to incorporate innovative portfolios
5 or project-based competencies into their admissions decisions,
6 thus reinforcing the use of high-stake, multiple-choice private
7 testing businesses; now, therefore,

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9 BE IT RESOLVED by the Senate of the Twenty-fourth
10 Legislature of the State of Hawaii, Regular Session of 2007, the
11 House of Representatives concurring, that the United States
12 Congress is strongly urged to proposed specific amendments to,
13 or recommend the repeal of, the federal No Child Left Behind Act
14 of 2001; and

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16 BE IT FURTHER RESOLVED, that among the issues and
17 amendments the United States Congress should address are the
18 following:

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20 (1) Permitting each state to adopt its own growth model to
21 calculate adequate yearly progress under the No Child
22 Left Behind Act;
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24 (2) Giving credit for schools that adopt or adapt
25 innovative curricula or methodologies;
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27 (3) Giving credit for schools that serve as a research
28 venue for new curricula or methodologies;
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30 (4) Requiring schools to maintain a broad and
31 comprehensive curriculum, including the arts and
32 physical education;
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34 (5) Allowing states to "opt out" of the No Child Left
35 Behind Act without loss of federal funds;
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37 (6) Allowing states to determine which grade levels to
38 test;
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40 (7) Providing significant teacher education and
41 professional development funds for schools in status;
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43 (8) Encouraging states or school districts to utilize a
44 wider range of assessments, including project-based



1 competency and portfolios, and providing funds for
2 those that do use them;

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4 (9) Removing special education and English as a Second
5 Language student tests from the calculations of
6 Adequate Yearly Progress;

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8 (10) Developing a completely separate and more appropriate
9 means of assessing the wide range of special education
10 students and those with behavioral health issues;

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12 (11) Fully funding special education programs, as once
13 promised;

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15 (12) Developing a new school facilities initiative that
16 does not push funding agencies into large schools and
17 economy-of-scale driven buildings, and that encourages
18 innovative school designs; and

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20 (13) Providing financial incentives for institutions of
21 higher learning to incorporate portfolios and
22 demonstrations of competency into their admissions
23 decisions; and

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25 BE IT FURTHER RESOLVED that certified copies of this
26 Concurrent Resolution be transmitted to the President of the
27 United States, the Vice President of the United States, the
28 President pro tempore of the United States Senate, the Speaker
29 of the United States House of Representatives, and the members
30 of Hawaii's Congressional delegation.

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33 OFFERED BY:

Norman Sakamoto

