S.C.R. NO. 57 S.D. 1

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			
4				
5	WHEREAS, the No Child Left Behind Act, unprecedented in the			
6	history of federal and state roles in public education by the			
7	mandated imposition of a federally prescribed, single			
8	accountability model for all public schools, undermines the			
9	established constitutional role of state and local public			
10	education governance; and			
11				
12	WHEREAS, the No Child Left Behind Act, while purporting to			
13	create an accountability system for public schools, has in			
14	reality, been an enormous financial and programmatic burden on			
15	schools and taxpayers; and			
16				
17	WHEREAS, even if states and schools are satisfied with			
18	their educational programs and outcomes, they are forced to			
19	participate in this top-down system in order to continue to			
20	receive federal funds for education, such as Title I funds; and			
21				
22	WHEREAS, the No Child Left Behind Act mandates consequences			
23	to schools if just one of thirty seven possible adequate yearly			
24 25	progress calculation outcomes are not met, and makes no distinction in the consequences imposed on schools that did not			
25 26	meet one or did not meet all thirty seven, resulting in dilution			
20 27	of energy, time, and money by mandating the treatment of all			
28 28	such schools to include identical sanctions; and			
29 29	Sach Schools to include Identical Sancerons, and			
30	WHEREAS, the No Child Left Behind Act employs a view of			
31	motivation that is misguided and objectionable, using threats,			
32	punishments, and pernicious comparisons to "motivate" teachers,			
33	students, and schools; and			

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1 WHEREAS, private K-12 schools have chosen not to spend 2 3 their time or money adopting key elements of the No Child Left Behind Act's intensive testing and accountability regimen; and 4 5 WHEREAS, the No Child Left Behind Act's narrow focus on the 6 7 "basics" has discouraged the implementation of best practices and cutting edge educational research in order to achieve higher 8 test scores; and 9 10 WHEREAS, the No Child Left Behind Act has driven many 11 schools and school systems into a narrowing of curriculum, often 12 13 focused on only tested subjects, to the detriment of subjects and rich educational experiences, such as the arts; and 14 15 WHEREAS, the goal of achieving one hundred per cent 16 proficiency, including special education students, is 17 unrealistic, and the pursuit of which channels millions of 18 dollars into tactically targeted programs that divert limited 19 resources from other critical school programs, professional 20 training, as well as the educational and physical environment of 21 schools; and 22 23 WHEREAS, the requirements of the No Child Left Behind Act 24 penalize schools who enroll students who have inherent 25 educational deficiencies and who, as a group, will continue to 26 remain below ever increasing No Child Left Behind "annual 27 measurable objectives"; and 28 29 WHEREAS, while there has recently been some interest in the 30 development of so-called "growth models" to recognize the 31 contributions of a school to individual students over time, the 32 lack of adequate funding and the prohibition against states 33 developing their own growth models has rendered this initiative 34 almost meaningless; and 35 36 37 WHEREAS, the No Child Left Behind Act does not provide additional funds for teacher education or training if a school 38 is in "status" or under restructuring, which creates a punitive 39 environment with little commitment on the part of the federal 40 government for improving teaching and learning, or for 41 42 supporting increased school success; and 43

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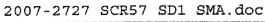
WHEREAS, Adequate Yearly Progress does not take into 1 account a school's adoption of meaningful educational innovation 2 or judicious use of research; and 3 4 WHEREAS, the No Child Left Behind Act has channeled 5 countless dollars into high-stake testing, which has largely 6 benefited national private testing companies, but at the expense 7 of ignoring genuine student accomplishments; and 8 9 WHEREAS, the No Child Left Behind Act appears biased 10 towards a one-size fits all multiple choice testing system, and 11 tends to ignore other means of engaging and assessing students 12 such as project-based, hands-on, or problem-solving 13 demonstrations of competency; and 14 15 WHEREAS, the United States Department of Education has 16 shown little or no interest in creating incentives among 17 colleges and universities to incorporate innovative portfolios 18 or project-based competencies into their admissions decisions, 19 thus reinforcing the use of high-stake, multiple-choice private 20 contractors; now, therefore, 21 22 BE IT RESOLVED by the Senate of the Twenty-fourth 23 Legislature of the State of Hawaii, Regular Session of 2007, the 24 House of Representatives concurring, that the United States 25 Congress is strongly urged to proposed specific amendments to, 26 or recommend the repeal of, the federal No Child Left Behind Act 27 of 2001; and 28 29 BE IT FURTHER RESOLVED, that among the issues and 30 amendments the United States Congress should address are the 31 32 following: 33 Improving teacher quality, preparation, and training 34 (1)by: 35 36 Building support for a comprehensive incentive (A) 37 program to recruit, place, and retain 38 experienced, well-qualified teachers in high-need 39 schools (e.g., high poverty, or geographically-40 isolated communities); 41 42



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1 2 3 4	(B)	Providing significant support for teacher education, professional development, in-service training, and career opportunities;
5 6 7	(C)	Improving the occupational status and compensation of teaching as a career;
8 9 10	(D)	Improving qualifications of teacher candidates at colleges of education;
11 12 13 14	(E)	Providing financial incentives for institutions of higher learning to incorporate portfolios and demonstrations of competency into their admissions decisions;
15 16 17 18 19	(F)	Strengthening teacher education preparation programs in areas such as science, mathematics, technology, measurement, data analysis, and evaluation;
20 21 22 23 24 25	(G)	Recognizing teachers having achieved certification by the National Board for Professional Teaching Standards as "highly qualified" in their respective fields; and
26 27 28 29 30 31	(H)	Providing flexibility in recognizing certified secondary level special education teachers as qualified teachers in their own right, and removing the unrealistic expectation that such teachers be additionally certified in every single core subject area;
32 33 (2) 34	Impro	oving assessment measures and systems by:
35 36 37 38	(A)	Refining student assessment instruments designed specifically for use in improving instruction as well as school accountability;
39 40 41 42 43	(B)	Encouraging states and school districts to utilize a wider range of useful assessments, including project-based competency and portfolios;

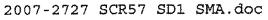




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1 2 3 4 5 6		(C) (D)	Developing more appropriate means of assessing the academic progress of English Language Learners, special education students, and those with behavioral health issues; and Supporting the development and implementation of
6 7 8 9 10 11 12 13 14		(U)	supporting the development and implementation of comprehensive statewide data collection and exchange systems that allow for more efficient support for student record keeping and informed educational policy decision making (e.g., electronic student transcript systems, and longitudinal analyses of growth in academic achievement);
15 16 17	(3)		oving accountability models, indicators of ormance, and consequences by:
18 19 20 21 22		(A)	Supporting states and the educational research community in research and development efforts to further the pioneering work required in refining the technology underlying growth (toward standards) analysis models;
23 24 25 26 27 28		(B)	Permitting each state to adopt and pilot its own growth model to calculate adequate yearly progress under the No Child Left Behind Act to take advantage of inherent benefits that motivate students at all levels of proficiency;
29 30 31 32 33 34 35		(C)	Supporting wholesale changes to the "adequate yearly progress" model for educational accountability that would provide for a fairer and more balanced appraisal of school performance and quality;
36 37 38		(D)	Replacing punitive, conjunctive "miss one, miss all" criteria;
39 40 41 42 43		• •	Expanding accountability indicators to reflect performance on standards in other important disciplines and countering unintended consequences such as a narrowing of curriculum;





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1 2 3 4		(F)	Allowing for current limitations in reliable and valid assessments of students within a wide range of disability classifications; and
5 6 7		(G)	Allowing for deferrals to test new immigrant students with limited English proficiency for up to three years of entering the country;
8 9 10 11	(4)	-	enting resources to assist states in efforts to mplish challenging educational initiatives by:
12 13 14 15		(A)	Requiring schools to maintain a broad and comprehensive curriculum to support adopted content and performance standards, including the arts and physical education;
16 17 18 19		(B)	Fully funding special education programs, as once promised;
20 21 22 23 24		(C)	Providing adequate funding to research and develop multiple and more valid means of assessing student competence, skills and knowledge for use in both improvement and educational accountability; and
25 26 27 28		(D)	Providing funding and training support for data and technology infrastructure requirements;
28 29 30 31 32	(5)		orting innovation, capacity building, and ibility to address state and local education needs
52 33 34 35 36		(A)	Recognizing schools that demonstrate successful strategies using innovative curriculum and methodologies;
37 38 39 40 41		(B)	Developing new initiatives for school facilities that do not push educational funding toward ever larger schools and economy-of-scale construction mentality;
42 43 44		(C)	Avoiding simplistic "one size fits all" solutions for assessment, accountability, and intervention;
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1 2 3 4		(D)	Addressing unique needs of "high-need" schools (e.g., high poverty, high immigration, extreme geographic isolation); and
5 6 7		(E)	Allowing states to determine which and how many grade levels are best to test; and
8 9			ming to the original intent and purpose of the entary and Secondary Education Act (ESEA) by:
10 11 12 13 14		(A)	Restoring the foundational precepts of ESEA and its focus on equity in educational attainment despite disadvantages stemming from socio-economic background;
15 16 17 18 19		(B)	Allowing states to "opt out" of requirements that impact schools that do not receive ESEA entitlements, without loss of federal funds;
20 21 22 23 24 25		(C)	Promoting strategies that directly reduce achievement gaps through better instruction, such as incentives for experienced, well-qualified teachers to accept positions in high-need schools and for reducing class size;
26 27 28 29 30		(D)	Resolving to build the best public education system and teacher work force in the world, rather than promoting lofty rhetoric and ploys that undermine and divert public funds to private schools; and
31 32 33 34 35	Ĩ	(E)	Returning policy setting and curriculum and teaching decision making control back to states, school districts and local communities; and
36 37 38 39 40 41	Concurrent United Stat President p of the Unit	Reso tes, pro t ted S	HER RESOLVED that certified copies of this lution be transmitted to the President of the the Vice President of the United States, the empore of the United States Senate, the Speaker tates House of Representatives, and the members gressional delegation.

