

MAR 09 2007

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## SENATE RESOLUTION

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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, 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  
9

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  
34 educational deficiencies and who, regardless of their progress  
35 at the school, remain below No Child Left Behind established  
36 standards; and



1  
2 WHEREAS, while there has recently been some interest in the  
3 development of so-called "growth models" to recognize the  
4 contributions of a school to individual students over time, the  
5 lack of adequate funding and the prohibition against states  
6 developing their own growth models has rendered this initiative  
7 almost meaningless; and

8  
9 WHEREAS, the No Child Left Behind Act does not provide  
10 additional funds for teacher education or training if a school  
11 is in "status" or under restructuring, which creates a punitive  
12 environment with little commitment on the part of the federal  
13 government for school success; and

14  
15 WHEREAS, in the calculation of Adequate Yearly Progress,  
16 there appears to be no points or benefit if a school engages in  
17 meaningful educational innovation or research; and

18  
19 WHEREAS, while there is some support for the alternative  
20 educational environments created by charter schools, these  
21 innovations do not appear to be recognized in the assessment  
22 environment, assuming that the accountability systems  
23 appropriate for traditional schools with large bureaucratic  
24 support systems apply equally well to charter schools; and

25  
26 WHEREAS, the No Child Left Behind Act has often channeled  
27 countless dollars and hours into high-stake testing, which has  
28 benefited private testing companies but which has not engaged  
29 the local educational community in this endeavor; and

30  
31 WHEREAS, the No Child Left Behind Act appears biased  
32 towards a one-size fits all multiple choice testing system, and  
33 tends to ignore other means of engaging and assessing students  
34 such as project-based, hands-on, or problem-solving  
35 demonstrations of competency; and

36  
37 WHEREAS, the federal No Child Left Behind Act has driven  
38 many schools and school systems into a narrowing of curriculum,  
39 often focusing on only math or English, to the detriment of a  
40 broader range of subjects and experiences, most notably the  
41 arts; and

42  
43 WHEREAS, the United States Department of Education has  
44 shown little or no interest in creating incentives among



1 colleges and universities to incorporate innovative portfolios  
2 or project-based competencies into their admissions decisions,  
3 thus reinforcing the use of high-stake, multiple-choice private  
4 testing businesses; now, therefore,

5  
6 BE IT RESOLVED by the Senate of the Twenty-fourth  
7 Legislature of the State of Hawaii, Regular Session of 2007,  
8 that the United States Congress is strongly urged to proposed  
9 specific amendments to, or recommend the repeal of, the federal  
10 No Child Left Behind Act of 2001; and

11  
12 BE IT FURTHER RESOLVED, that among the issues and  
13 amendments the United States Congress should address are the  
14 following:

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16 (1) Permitting each state to adopt its own growth model to  
17 calculate adequate yearly progress under the No Child  
18 Left Behind Act;
- 19  
20 (2) Giving credit for schools that adopt or adapt  
21 innovative curricula or methodologies;
- 22  
23 (3) Giving credit for schools that serve as a research  
24 venue for new curricula or methodologies;
- 25  
26 (4) Requiring schools to maintain a broad and  
27 comprehensive curriculum, including the arts and  
28 physical education;
- 29  
30 (5) Allowing states to "opt out" of the No Child Left  
31 Behind Act without loss of federal funds;
- 32  
33 (6) Allowing states to determine which grade levels to  
34 test;
- 35  
36 (7) Providing significant teacher education and  
37 professional development funds for schools in status;
- 38  
39 (8) Encouraging states or school districts to utilize a  
40 wider range of assessments, including project-based  
41 competency and portfolios, and providing funds for  
42 those that do use them;
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- 1 (9) Removing special education and English as a Second  
2 Language student tests from the calculations of  
3 Adequate Yearly Progress;  
4  
5 (10) Developing a completely separate and more appropriate  
6 means of assessing the wide range of special education  
7 students and those with behavioral health issues;  
8  
9 (11) Fully funding special education programs, as once  
10 promised;  
11  
12 (12) Developing a new school facilities initiative that  
13 does not push funding agencies into large schools and  
14 economy-of-scale driven buildings, and that encourages  
15 innovative school designs; and  
16  
17 (13) Providing financial incentives for institutions of  
18 higher learning to incorporate portfolios and  
19 demonstrations of competency into their admissions  
20 decisions; and  
21

22 BE IT FURTHER RESOLVED that certified copies of this  
23 Resolution be transmitted to the President of the United States,  
24 the Vice President of the United States, the President pro  
25 tempore of the United States Senate, the Speaker of the United  
26 States House of Representatives, and the members of Hawaii's  
27 Congressional delegation.  
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OFFERED BY:

