

CCSESA FOCUS

A Weekly Update to County Superintendents of Schools

Friday, February 13, 2015

Federal Update – ESEA Authorization:

Following is an update from our federal advocate, Bob Canavan, about recent developments concerning ESEA reauthorization. CCSESA's Federal Advocacy Task Force is scheduled to hold a conference call on Tuesday, February 17, to determine CCSESA positions on the various issues under discussion. Our first advocacy trip this year to Washington DC is scheduled for March 2-5.

The House Education and the Workforce Committee has started the ESEA NCLB process with a quick mark-up on February 11 of the Student Success Act (H.R. 5) which is very similar to the ESEA bill the House passed in the 113th Congress. See our summary below which compiles information about the House Committee mark-up from a number of sources. The Senate Health, Education, Labor and Pensions (HELP) Committee is beginning work on what Senator Alexander (R-TN) the Chair and Senator Murray (D-WA) the Ranking Democrat on the HELP Committee hope will be a bipartisan ESEA bill.

House Education and Workforce Committee Approves H.R. 5 Student Success Act, ESEA NCLB Reauthorization Bill

The House Education and the Workforce Committee on a partisan vote approved H.R. 5, The Student Success Act, a reauthorization of the Elementary and Secondary Education Act/No Child Left Behind. H.R. 5 would reduce the federal role in elementary and secondary education. Democratic members of the Committee objected to many of the bill's provisions, the lack of hearings and the insufficient time allowed to consider the 500 page bill and Chairman Kline's (R-MN) substitute amendment as the Committee approved the bill in a one day mark-up.

The Education and the Workforce Committee voted 21-16 on a party line vote to approve The Student Success Act H.R. 5 that would allow states to set their own accountability standards and interventions in failing schools, and convert 67 ESEA programs and funding into "flexible" block grants. The bill also includes Title I portability provisions to allow Title I funding for low-income students to follow those students as they move among public schools. The bill lowers the maximum authorization funding levels for ESEA and the Title I program at levels that could result in a funding cap. AYP is eliminated.

According to the Education and the Workforce Committee, The Student Success Act as passed by the Committee "replaces the current national accountability system based on tests with state led accountability systems, returning responsibility for measuring student and school performance to states and school districts."

Four Republican amendments were accepted, including an amendment from Congressman Curbelo (R-FL). The Curbelo amendment allows States to exempt scores of English learners from a state's accountability system if the student has attended schools for fewer than two years in the case of math

and for fewer than three years in the case of reading/language arts (except if the State uses growth calculations). The Curbelo amendment was adopted 22-15 with Rep. Wilson (D-FL) voting Yes with the Republican Members. Another Republican amendment by Congressman Heck (R-NV) adopted by voice vote would require states and schools to report on the academic performance of students whose parents are in the military.

The Committee rejected more than a dozen Democratic amendments during the mark-up. Democratic amendments attempted to limit the block grants, preserve funding for specific programs, including dropout prevention and literacy training, and to reinstate a federal role in school accountability. In the past, block granting of federal programs has resulted in lower funding. As the specific purposes of the federal programs included in block grants are lost the rationale for continued funding is lessened. An unsuccessful amendment from Congresswoman Marcia Fudge (D-OH) sought to make funding for Title I and IDEA mandatory, while also restoring higher funding authorizations for ESEA and the Title I program. The Fudge amendment also included maintenance of effort and supplement and not supplant provisions.

Democratic Substitute: Ranking Democrat Robert C. Scott (D-VA) offered a Substitute amendment including most of the individual Democratic amendments that would require states to establish accountability systems that set both academic performance and growth targets, including targets for subgroups of children like minorities or those with special needs. Under the Democratic substitute, the lowest-performing schools would have to develop improvement plans, and states and districts would have to provide resources to aid the implementation of those improvement plans.

Congressman Scott made the point that the Elementary and Secondary Education Act is a civil rights law as well as an education law, and the Democratic substitute sought to uphold the federal responsibility to ensure every child has access to a good education. The Committee rejected the Democratic substitute on a party-line vote.

Preschool: The Democratic substitute also would have created a new funding stream for supporting state efforts to expand preschool.

School Choice Vouchers: A Voucher amendment sponsored by Congressman Luke Messer (R-IN) that would allow Title I funds to be used at private schools to broaden the use of federal dollars in school choice efforts was withdrawn before a vote. The Title I voucher amendment threatened to divide the Republicans on the Committee before its withdrawal. Committee Democrats opposed the amendment, pointing out that state funding programs for private schools in Wisconsin, Louisiana, Indiana and elsewhere were not successful in raising education performance.

Chairman Kline contended during the Committee's consideration of the bill that H.R. 5 would return school accountability to parents and local leaders, arguing that the approach to have the federal government ensure school accountability did not work.

The Student Success Act will now move to the House floor where it may be considered the last week of February.

Senate ESEA Reauthorization

Health, Education, Labor and Pensions Committee Chairman Alexander (R-TN) developed a preliminary draft ESEA bill, the "Every Child Ready for College or Career Act of 2015." Senator Alexander's draft bill gives states the authority to determine their own school accountability systems and interventions in failing schools. The draft bill also lays out testing options. The bill provides for Title I portability but does not address vouchers. The draft bill lowers potential authorization levels for ESEA and Title I, raising the possibility of ESEA Title I funding caps.

The HELP Committee held hearings in January and February on the draft bill with the full participation of Committee Members from both sides of the aisle. Democrats on the Health, Education, Labor and Pensions Committee raised questions about many of the provisions of Senator Alexander's draft ESEA NCLB bill. There are concerns about the lack of federal standards for accountability, testing, assessments, student growth, and performance based teacher evaluation systems.

In contrast to the House Education and the Workforce Committee approach, Chairman Alexander and Ranking Member Murray have agreed to work on an ESEA bipartisan bill. Senator Murray said, "We've agreed to move forward to develop a bipartisan chairman's mark to fix No Child Left Behind. Our staffs will begin working today with each other and with the staffs of other senators on the committee. We know our constituents expect us to fix this broken law and improve education for students, families, and communities across the country—and we expect to succeed."

Senator Alexander issued this statement after the House Committee action on ESEA: "Chairman Kline has worked diligently in this Congress and in the last two Congresses to pass a bill to fix No Child Left Behind. In the Senate, Ranking Member Murray and I are focused now on developing a bipartisan Chairman's mark to fix this broken law and improve our nation's 100,000 public schools for our 50 million students."

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