

No Child Left Behind Testimony

Congressman Larson testified before the Connecticut State Legislature's Education Committee on the "No Child Left Behind" education law on March 1, 2004. Larson was invited to appear before the committee by the panel's co-chairs, State Senator Thomas Gaffey and State Representative Demetrios Giannaros.

U.S. Rep.
John B. Larson

Testimony before the Connecticut State Legislature

Education Committee

Monday, March 1, 2003

Senator Gaffey, Representative Giannaros, and members of the Education Committee, thank you for inviting me to appear at this hearing to share my thoughts on the No Child Left Behind Act.

This law was passed overwhelmingly in 2001 because it promised to strengthen education in this country by enhancing accountability in our public schools.

The bill also increases overall funding for education for disadvantaged students, for science and math education, and for technology programs.

At the time, I praised the efforts of my colleague George Miller from California, the ranking member on the House Education and Workforce Committee, for his dedicated work on creating this law on a bipartisan basis.

Though I was a skeptic, this was viewed as a positive step.

One of the main reasons that an overwhelming majority of the House voted in favor of this legislation was the dramatic increase in funding that would be sent to the states so that they could accomplish these new goals.

Specifically, I was heartened that the bill would provide nearly \$1 billion for a new program aimed at having all children reading by the third grade.

Additionally, it aimed to develop a plan to have a qualified teacher in every classroom within four years. Also, the law promised to give local school districts greater flexibility in spending federal money.

Two years later, I again stand with my colleague Mr. Miller. However, this time it is to express my extreme disappointment that for another year, the President has reneged on his commitment to fully fund No Child Left Behind, falling \$9.4 billion short for this coming fiscal year and \$27 billion short overall since its inception.

The Fiscal Year 2005 budget request would amount to the smallest increase in education funding in 9 years. It would eliminate 38 education programs and reduce the Federal investment in education by \$1.4 billion.

Vocational education funding again takes a hit with a cut of \$316 million. Since taking office, President Bush has proposed over \$1.8 billion in cuts to vocational education and job training programs for community colleges.

Education Department officials have said that the Department expects school districts and States to build more schools and hire and train more qualified teachers to comply with public school choice capacity requirements in the regulations.

However, the Administration has consistently opposed federal assistance for school construction, even in light of state and local budget crises, and provided no additional funding for schools to hire and train qualified teachers.

I might note that the bill has bipartisan support with Charlie Rangel, Democrat of New York and our own Nancy Johnson, as co-authors.

Unfortunately, Republican leaders in Congress have never scheduled for floor consideration any school construction legislation despite strong bi-partisan support.

On top of the vast underfunding of No Child Left Behind, the Administration's implementation of the law leaves much to be desired.

The Bush Administration has fought for private school vouchers for the District of Columbia, despite the opposition of the elected DC delegate and majorities of the City Council and School Board.

In fact, private school vouchers for the District were never actually voted upon by the U.S. Senate. This is just the first step in Administration's efforts to take money away from our public schools which are so desperately in need and give it to private schools.

One of the aspects of the No Child Left Behind Act that I praised was the requirement that schools ensure that all teachers are "highly qualified." By law, highly qualified teachers are required to have state certification.

Unfortunately, the Bush Administration has permitted uncertified teachers to be considered "highly qualified." The result is that some of our most disadvantaged children are being taught by teachers without the proper experience and certification.

This law should be ensuring that the teachers in our classrooms are certified and given the opportunity for further training.

Additionally, we should be creating incentives for Americans to seek careers in the classroom. It only makes sense for some of our best and brightest to be teaching our children, the future of our nation.

Another of the reforms I was most pleased to see in No Child Left Behind was the Reading First program, which is intended to help schools improve the reading skills of their most disadvantaged children through proven, research based methods.

Unfortunately, the Bush Administration took nearly two years to award reading funds to many States.

This delay caused many of our children who cannot read to be further left behind. No child will have the chance to succeed without the basic skill of being able to read.

Furthermore, recently released Department of Education regulations allow schools to be viewed as making academic progress even as graduation rates for the lowest performing students decline.

How can this law claim to promote accountability when one of the most tangible signs that a school is struggling and in need is ignored? High rates of student dropout should be one of the red flags that signal the federal government must help that school.

Additionally, the Bush Administration has failed to provide guidance to schools on how to implement No Child Left Behind. Most regulations and guidance on this law were released after schools were already required to implement its provisions.

The Administration has also issued a number of contradictory guidelines, including the testing of children with disabilities and public school choice.

On a positive note, the Administration announced on February 19 that states will be permitted to grant a one-year transition period for English-language learners in their first year in U.S. public schools, which means that these students will be temporarily excluded from their schools' test results.

Additionally, students will continue to be counted as members of the "limited English-proficient" subgroup for two years after they learn English.

While this is a positive step, schools have been asking for guidance on non-native English speakers for two years and this change comes in the middle of the school year, which may be too late to affect this year's students.

These confusing policies and their often late clarification have caused teachers to be focused on regulations and paperwork, not on classrooms.

Another area for improvement that was excluded from No Child Left Behind is the lack of attention to children with disabilities.

Currently, the federal government does not meet the financial obligations for special education it committed to in 1975 when the Individuals with Disabilities Education Act, better known as IDEA, first passed Congress.

This shortfall places an onerous financial burden on many local communities who must find alternate resources, such as higher property taxes or slashing school sports and arts programs, to fund special education.

No Child Left Behind certainly leaves children with disabilities behind and the President's subsequent budgets have failed to put the Federal government on a pace to meet its obligations to our local communities.

Limited English-proficient students and students with disabilities often fall in the category of being the most left behind.

The confusing guidelines offered by the Administration and substantial lack of funding for these groups have been one of the main reasons that some schools have been labeled as failing to meet Adequate Yearly Progress, despite exceptionally high scores in all other areas.

These guidelines need further clarification and entire schools need not be labeled as failing because they don't have the resources to invest in these groups.

If No Child Left Behind intends to hold these students to the same standards as all students, the Administration needs to increase its funding for these groups, instead of forcing local school boards to divert funding away from programs such as arts and athletics or raise local taxes.

The figures for Connecticut do not reflect our state's commitment to quality education. Out of 1,122 public schools used to determine Adequate Yearly Progress, 238 - or 21 percent - did not make Adequate Yearly Progress for at least one year.

As recently as December 2003, 99 of the state's 185 local, regional, and statewide school districts and charter schools were identified as not making Adequate Yearly Progress for the 2001-2002 school year.

These numbers seemingly contradict the fact from 1982 to 2002, 100 Connecticut schools were named Blue Ribbon Schools by the U.S. Department of Education.

In West Hartford, King Philip Middle School was named a Blue Ribbon School in for the 1986-87 school year but in August 2003 learned that it was not making Adequate Yearly Progress.

Particularly for Connecticut, these facts call one of the cornerstones of No Child Left Behind into question: its reliance on testing.

Students in Connecticut already meet numerous state as well as national testing requirements; in fact, students and schools systems here participate in more testing than almost any other state.

This testing has shown that Connecticut students score near the top on national assessments. Yet each state faces the same requirements under the law.

As has been noted, it is impossible to compare the education system of Connecticut or the needs and abilities of our students to those of other states, yet that is exactly what this flawed law does.

In the two years since No Child Left Behind was signed into law, my staff and I have met with and heard from numerous education groups from the First Congressional District and all over Connecticut.

They represent all aspects of education: administrators, teachers, parents, and students. Overwhelmingly, their reaction to the implementation of this law has been negative.

In the coming weeks I will be organizing a forum for teachers, local school board members, superintendents, administrators and parents to discuss this law and its affect on our communities.

They see the bill as flawed and as placing demanding and in some cases, unreasonable requirements on their schools.

They feel they are being set up for failure. For example, the decision made by a group of Cromwell teachers and parents to have one special education student take an off-level math test instead of the regular CAPT test resulted in that school only having a 94 percent participation rate.

Despite exceeding state requirements in all other categories, this shortfall in participation resulted in the school failing to make Adequate Yearly Progress.

School principals should not be forced to spend their time explaining to parents and communities that being labeled "failing to make Adequate Yearly Progress" is not necessarily a reflection on the school, but a statistical anomaly.

As a former teacher, I know how dedicated educators are to helping children learn and succeed.

It is not only an insult to label their schools as failures; it is a disservice to our children and a disincentive for anyone looking to enter the education field.

Further adding insult, the Administration wants to abandon our needy schools and take money away from them to give to private schools.

Indeed, parts of No Child Left Behind will likely play a role in an effort by the administration and some in Congress to divert funding from public to private schools.

The law's flawed formulas label many schools as failing -- generating statistics that some in Congress can use as an excuse for the creation or expansion of voucher programs.

Should this occur, it would clearly set a dangerous precedent that would undoubtedly harm public education.

In conclusion, No Child Left Behind has become an unfunded mandate to our states.

While there is strong support for holding schools accountable for the achievements of their students, this accountability must be accompanied by a strong financial commitment on the part of the Federal government.

Without this commitment, during times of state and local budget crunches, we are setting our schools up for failure and leaving too many children behind.