



REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT: HOUSE EDUCATION AND LABOR COMMITTEE DRAFT OF TITLE I

OVERVIEW

House Education and Labor Committee Chairman George Miller (D-CA), along with Ranking Member Buck McKeon (R-CA), Congressman Dale Kildee (D-MI) and Congressman Mike Castle (R-DE) have posted a proposal to reauthorize Title I of the Elementary and Secondary Education Act on the Committee website (<http://edworkforce.house.gov/>). It is their intention to mark-up the bill in mid-September, with hopes of floor consideration by the end of the month. It is an ambitious plan, but this early draft reflects significant revisions to what many consider the most troubling provisions in the No Child Left Behind Act and an effort to strike bi-partisan compromise.

It is clear in reviewing the draft that the Committee set out to address the most controversial complaints offered regarding current law and its implementation by the Department of Education, without appearing to waiver from their stated goal—closing the achievement gap. Though testing and accountability measures are amended, school year 2013-14 remains the target for 100% proficiency.

As expected, the bill revises the testing provisions of the legislation by allowing states to use multiple measures for accountability purposes. State-developed assessments on topics beyond math and reading—including history, science, civics, government and writing—may be administered throughout the year. Documented improvements in graduation rates, dropout rates and college attendance rates may also be considered. When progress towards annual achievement targets is measured, improvement on these multiple indicators can contribute up to 15% for elementary schools and 25% for high school in the calculations. In instances where significant progress is noted, moving students from below basic to proficient or advanced performance, partial credit may also be given even if the actual Annual Measurement Objective was not achieved.

In this revised ESEA bill, States that have longitudinal data systems in place that allow them to compare student performance over time, while maintaining individual privacy, are able to integrate measurement of student by student academic growth in their definition of adequate yearly progress.

To address criticism that by setting a high minimum number of students in each disaggregated category millions of students were not included in AYP measures, a maximum “N” size of thirty students is set in the statute.

Concerns raised about the “one-size-fits-all” nature of the consequences for low-performing schools are addressed with the creation of a more nuanced two-tiered system. Schools that miss AYP in one or two specific categories (ELL students in a certain grade level for instance) would be considered “priority schools” requiring possible interventions. Schools that miss AYP in a substantial number of categories would be considered “high priority schools” and would require far more intense intervention. The requirement that students receive Supplemental Education Services or are offered public school choice options would be limited to these high priority schools.

All schools that miss AYP would be required to provide their teachers with professional development opportunities and would have to ensure that students needing the most help are assigned to the best prepared teachers. At least 4 proven interventions (outlined in the statute) would have to be implemented by these high priority schools and 2 by those schools in the category called priority.

This revised ESEA also strives to increase the resources for identified schools. The Comprehensive School Reform Program is reauthorized; a new Graduation Promise Fund is created; the Dropout Prevention program is revised and expanded; support for AP and IB programs grows; a new academic achievement awards program is authorized to acknowledge and help replicate successful interventions; and a new Expanded Learning Time Demonstration Program is authorized to support innovations in school design, teacher collaboration and overall improvement.

To address concerns raised that the enhanced focus on reading and math had driven other critical subjects out of the school day the bill creates a new Core Curriculum Development grant program.

Below are provisions pertaining to early childhood education of particular interest. The legislative draft of the proposed changes to Title I and a comprehensive summary prepared by majority staff are available on the Education and Labor Committee website (<http://edworkforce.house.gov/>).

PROVISIONS OF INTEREST

In terms of provisions pertaining to early childhood programs, by and large policy remained the same. For example, early childhood programs can be found in the following sections in current law and in the draft of Title I:

- Section 1114. Schoolwide programs may include assistance for preschool children in the transition from early childhood programs, such as Head Start, Even Start, and Early Reading First, to the local elementary schools. Schools that are eligible for schoolwide program funding may also use the funds to establish or enhance prekindergarten programs.

- Section 1115. Local educational agencies (LEAs) may use targeted assistance funds to provide services to children with the greatest need and at the highest risk of not meeting the State’s academic achievement standards. This provision includes children who are not yet at the age necessary to receive a free public education. For children in preschool through grade two, eligibility for targeted assistance is based on teacher judgment, parent interviews, and developmentally appropriate measures. All children who participated in preschool services under Title I, or a Head Start, Even Start, or Early Reading First program in the prior two years will be eligible for targeted assistance.
- Section 1120B. (in House Draft it is section 1122). This section is dedicated to coordinating activities between LEAs and the local Head Start agencies or other agencies carrying out early childhood development programs, such as the Early Reading First program. Funding is provided to assist in developing staff communication, the involvement of parents, kindergarten and elementary teachers, and early childhood teachers in discussions regarding the needs of individual children, the organization of transition-related training for school and Head Start staff, and the linking of services provided by the different agencies.

While the Draft proposal maintains many of the existing early childhood provisions, it adds legislation pertaining to early childhood teams within sections 1112 and 1114, which are explained in greater detail below.

EARLY CHILDHOOD EDUCATION TEAMS

The Draft includes new measures to promote coordination and integration between LEAs and the services they provide with preschool services, including Even Start, Head Start, Reading First, and Early Reading First. The legislation requires LEAs to establish early childhood education teams of staff within each agency, whose responsibilities will include early childhood curricula, assessment, professional development, special education, English language learners, after-school programs and other pupil services for children below grade four.

The new legislation aims to foster communication regarding learning expectations and teaching practices, and to create opportunities for school staff to engage in joint professional development with their counterparts in early childhood education programs, such as Head Start, State pre-kindergarten, and child care programs. The formation of early childhood education teams will provide support for English language learners, children with disabilities, and children below grade 4 as they transition to grade school.

Under the House proposal, LEA plans for improving student achievement must include, if applicable, a description of how the agency will use federal funds to support preschool programs, particularly the Early Reading First, Head Start and Even Start programs.

PARENTAL INVOLVEMENT

The legislation maintains funding for programs, activities, and procedures for the involvement of parents in other programs including Head Start, Reading First, Early Reading First, Even Start, and State-run preschool programs. The Draft strikes the

Parents as Teachers and Home Instruction for Preschool Youngsters programs from this list, and inserts the Striving Readers program (Striving Readers is a new literacy program aimed at grades 4 – 12).

CONCLUSION

As expected, the House Education and Labor Committee has produced a significant legislative proposal to reauthorize the No Child Left Behind Act before their Senate colleagues. Conversations with Senate staff indicate that they are also working toward producing a draft, although their proposed timing is much less clear.

With reauthorization of the Higher Education Act, the Higher Education reconciliation bill and other matters before both the House and Senate, the first few weeks of September will give the education community a clearer idea of timing and prospects for progress on ESEA reauthorization before the end of the year.

This summary analysis was prepared for ECIC by Washington Partners, LLC.