

Forum on Educational Accountability

Opportunity to Learn Must Be Central to ESEA Reauthorization

As Congress prepares for the reauthorization of the Elementary and Secondary Education Act, the Forum on Educational Accountability (FEA), a working group of the 151 organizations that signed the “Joint Organizational Statement on the No Child Left Behind Act,” calls on Congress to eliminate injustices in the current version. No Child Left Behind (NCLB) was passed in the fall of 2001 with the stated goal of closing achievement gaps. To that end NCLB has ratcheted up standardized testing and punished schools that cannot quickly raise scores while remaining silent about the need to close cavernous opportunity gaps in learning resources from place to place. FEA has declared that all children deserve the opportunity to learn in high quality public schools that are well-resourced and well-staffed by qualified professionals, that provide classes of a size that ensures individualized instruction and attention to each child’s learning needs, and that are safe, healthy and modern.

“The Schott Foundation used resource models to identify the four core minimum resources that are necessary if a child – regardless of race, ethnicity, or socioeconomic status – is to have a fair and substantive opportunity to learn: 1. High-quality early childhood education; 2. Highly qualified teachers and instructors in grades K-12; 3. College preparatory curricula that will prepare all youth for college, work and community; and 4. Equitable instructional resources.” —Schott Foundation for Public Education, *Lost Opportunity*, May 2009, Executive Summary.

Opportunity gaps are the differences in resources that society provides for children and schools from place to place. Public schools serve 50 million (90 percent) of our nation’s young people; yet state school finance systems only magnify disparities in family resources in an America where some children live in pockets of concentrated poverty and others in pockets of concentrated affluence. Despite some progress over the past 30 years, inequity in funding for public education between wealthy and poor school districts remains 3:1 in most states. NCLB’s emphasis on reporting outcomes measured by standardized test scores has distracted our attention from vastly unequal inputs—the opportunity gaps beneath the achievement gaps. NCLB’s silence about opportunity to learn—about the public’s responsibility to invest in equity—is among the law’s most serious flaws.

“The wide disparities among public schools exist largely because schools reflect the affluence and/or the political power of the communities in which they are found. Within virtually every state there are school districts that lavish on their students three or four times the amount of money spent on other children in the same state. Most tellingly, the schools that offer the least to their students are often schools serving poor children, among whom children of color figure disproportionately, as they do in all the shortfalls of our common life.” —National Council of Churches General Assembly, Policy Statement, “The Churches and the Public Schools at the Close of the Twentieth Century,” 1999.

FEA’s 2004, “Joint Organizational Statement on the No Child Left Behind Act” addressed the lack of federal resources in the federal law itself by advocating that Congress fully fund NCLB’s mandates and fully fund Title I to ensure that 100 percent of eligible children are served. FEA more fully addressed inequity in resources and opportunity in its 2008 statement, “Empowering Schools and Improving Learning,” signed by 84 national organizations.

“Empowering Schools and Improving Learning” declares that rather than making test-and-punish accountability the central component of ESEA, Congress must make building the capacity of public schools central, with accountability only one component of a school improvement process. Congress must (1) empower schools to participate actively in their own improvement; (2) improve testing and make assessment a tool not merely for judging schools but also for improving teaching; and (3) address opportunity to learn by ensuring that resources at the federal and state levels are adequate and they reach the schools most in need. Federal, state, and local governments together must contribute to meeting this goal: while it is a state responsibility to ensure that resources adequate to produce high-quality learning outcomes for all students are available to each school and are used appropriately, Congress must also use its power to ensure that states fulfill their obligation to children who attend school in communities with fewer resources. The reauthorization must ensure that the federal government:

“The funding allocated in current federal policy—less than 10 percent of most schools’ budgets—does not meet the needs of the under-resourced schools where many students currently struggle to learn... Nor does current federal policy require that states demonstrate progress toward equitable and adequate funding or greater opportunities to learn. Federal mandates that simply require equity in such things as ‘highly qualified teachers,’ without a national agenda to provide such resources, offer a hollow promise.”

—The Forum for Education and Democracy, *Opportunity at Risk*, April 2008, p. 21.

1. substantially increases federal education funding and ensures fair distribution of federal funds across the states.

Through the ESEA and the appropriations process, Congress shall continue to provide assistance by supplementing the local and state funds available to schools and districts with concentrations of low-income and diverse students.

- Congress shall fully fund ESEA Title I and the Individuals with Disabilities Education Act (IDEA) Part B, in accord with current formulas.
- Congress shall make both ESEA Title I and IDEA Part B mandatory federal budget items.
- Congress shall enforce the requirement that states use Title I funds to supplement, not supplant, state and local funding.
- The federal government shall fund a significant portion of the cost of implementing the systemic school improvement changes described as necessary for school improvement by FEA.
- Congress also shall appropriate substantially increased sums to better meet the needs of students served under the other Titles and Parts of ESEA and IDEA.
- Congress shall provide funding for school modernization programs.
- Congress shall conduct studies to determine the costs of providing a high-quality education to all students.

“People understand that kids need a good education to become good citizens and compete for jobs. That means all kids need a genuine Opportunity To Learn. The Empowering Schools recommendations for ESEA can build that opportunity for the many urban and rural kids now being shortchanged.”

— Molly Hunter, Education Law Center

2. provides for the development of comprehensive statewide indicator systems to document disparities in opportunity within districts, and within and across states. Collection of these indicators will be a collaborative activity involving relevant state and federal departments and agencies. This evidence will help improve opportunities to learn and support school improvement efforts. Data collection will include:

- School resources including teachers and supervisory staff; class size; buildings, libraries, technology, and other material resources; school climate; parental engagement; and family and community support for learning.
- Evidence about learning outcomes, such as high school graduation; college readiness, enrollment, and progress; employment; and civic participation.
- Out-of-school factors including comprehensive health care, housing, employment and income, and community safety.

“The 21st century requires a partnership among all levels of government--federal, state and local---to make up for the historic inequitable distribution of tools and resources to our nation’s students...The federal government should require states to detail how they will remedy inequities in educational tools, opportunities and resources.” —National Education Association, “Principles for the Reauthorization of the ESEA,” 2010.

3. uses data collected to work with states to help them move quickly toward greater equity and adequacy. Each state shall be required to develop strategies for providing resources to overcome inequities and inadequacies identified by the indicators. The goal is to provide resources sufficient to ensure every child can participate in high quality learning experiences.

- Each state shall report biannually on the indicators, strategies, and progress to the public.
- The federal government shall provide a biannual report to the public as to status and progress on these indicators across the states.

“Schools remain highly unequal, sometimes in terms of dollars and very frequently in terms of teachers, curriculum, peer groups, connections with colleges and jobs, and other key aspects of schooling. Segregated black and Latino schools have less prepared teachers and classmates, and lower achievement and graduation. Segregated nonwhite schools usually are segregated by poverty as well as race.” —Gary Orfield, “Reviving the Goal of an Integrated Society: A 21st Century Challenge,” The Civil Rights Project/Proyecto Derechos Civiles at UCLA, January 2009, p. 6.

The Forum on Educational Accountability has been formed to expand on and advance the ideas in the Joint Statement to improve federal education policy. The national education, civil rights, religious, children’s, disability, and civic organizations comprising the Forum are committed to the No Child Left Behind Act’s objectives of strong academic achievement for all children and closing the achievement gap. However, the member organizations believe that significant, constructive corrections are needed to ensure that federal education law has helpful rather than harmful educational consequences. The law should focus on helping states and localities improve student learning instead of applying sanctions to schools and districts for failing to raise test scores. The FEA is a working group of some of the organizations that have signed the Joint Statement.