



Written Testimony Submitted for the Record to the  
**House Committee on Education and the Workforce**

For the Hearing on  
**The Student Success Act of 2012 (H.R.3989) and  
The Encouraging Innovation and Effective Teachers Act of 2012  
(H.R.3990)**

On behalf of  
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The National PTA submits this testimony to the United States House of Representatives Committee on Education and the Workforce for the committee hearing on The Student Success Act of 2012 (H.R.3989) and The Encouraging Innovation and Effective Teachers Act of 2012 (H.R.3990). The purpose of this testimony is to outline top areas of support and concern for PTA within both acts.

National PTA comprises millions of families, students, teachers, administrators, and business and community leaders devoted to the educational success of children. As the nation's oldest and largest child advocacy organization, PTA is a powerful voice for all children, a relevant resource for families, schools, and communities, and a strong advocate for public education.

**Promoting Family Engagement in Education**

Research shows that family engagement in education is a leading contributor to student academic success and whole school turnaround. PTA applauds the Chairman's recognition of the important role parents and families play in educational achievement, as evidenced through the retention of

section 1118 and the inclusion of the Statewide Family Engagement Center competitive grant program. Both provisions are necessary steps toward ensuring that all State and local educational agencies, especially those serving disadvantaged students, are equipped with the tools to partner with parents to improve student learning.

Access to statewide support and technical assistance for local implementation of research-based, proven effective policies and programs to improve communication between schools and families, improve parent understanding of school accountability and data, inform families of public school choice options, and enable parents to support learning at home and in the community is necessary to maintain momentum and ensure sustainability of education reforms.

Additionally, PTA is pleased with the inclusion of provisions to ensure parent and family access to data on state, district, school, teacher, and student performance. However, PTA does caution that access to performance information is only valuable if the available data is high quality, understandable and actionable for parents and families. If parents are not equipped with meaningful information, transparency achieves limited results.

### **Ensuring Educational Equity While Allowing Increased Local and State Flexibility**

PTA applauds efforts to return the bulk of responsibility for education to state and local educational agencies; however, we recognize the need for a well-defined and appropriate federal role in holding states and districts accountable for improvements in student achievement and expenditure of funds. We are concerned that both acts allow federal formula dollars to flow, yet require little to nothing in return – which is bad for parents and families, both as our children’s first educators and as taxpayers. This is important not only to ensure effective implementation of scarce federal resources, but also to maintain and improve educational equity and opportunity for all children, especially historically disadvantaged groups of students: minority, low-income, English language learners, and students with disabilities.

#### *Performance Targets within State-Developed Accountability Systems*

While the current system of Adequate Yearly Progress is outdated and too prescriptive, PTA believes federal education dollars must come with the expectation of and demand for higher student achievement and graduation rates and marked progress in narrowing achievement gaps. PTA feels strongly that any reauthorization of the Elementary and Secondary Education Act (ESEA) must include a requirement for states to self-determine and set ambitious, yet attainable performance targets for all students.

States and districts are leading innovative education reform efforts. The federal government should not hinder the progress that is underway, yet we must not forget history. In decades when accountability for educating all children was the sole responsibility of individual states, our children suffered the consequences, even if unintended. Accountability provisions enacted in No Child Left Behind (NCLB) sought to remedy gross inequities, and while PTA believes the law’s current accountability provisions are deeply flawed, we are confident that there is a happy medium to be met between rigid and unattainable federal mandates and the return to an era in which disadvantaged students suffer the consequences of low academic standards and lack of access to quality education.

#### *Cap on Alternate Assessment on Alternate Achievement Standards*

In addition to the omission of performance targets, PTA fears H.R.3989’s codification of the elimination of the current cap on alternate assessment on alternate achievement standards will further exacerbate educational inequity. The current “1% regulation”

restricts the use of scores on less challenging assessments being given to students with disabilities. Alternate assessment on alternate achievement standards are intended only for a very small portion of the student population with the most severe cognitive disabilities. Research consistently shows the incidence of such students in the public school system to be far less than even one percent.

Students who are placed in the alternate assessment on alternate achievement standards experience limitations on access to general curriculum and impediments to on-time matriculation and graduation – it is intended only for a very narrow student population. Thus, there is inherent risk in broadening the alternate assessment to apply to students not truly deserving of the classification. To remove this regulatory cap would mean not only the discontinuation of support to students with disabilities in achieving on-time graduation, but also lower expectations placed on students deemed special need; whether deserving of the classification or not.

#### *Removal of State Maintenance of Effort*

PTA strongly opposes H.R.3839's provision to eliminate Maintenance of Effort (MoE). MoE is vital to ensuring the continuity of services through state and local funding efforts. Especially in austere budget times, removal of the MoE requirement would likely trigger a rapid decline in government support for public education at a time when public school enrollment is continually rising. The current MoE provisions provide the greatest protection to low-wealth/higher poverty school districts that suffer from dwindling sources of local revenue and receive the majority of their education funding from the state. Low-income districts serve low-income and disadvantaged student populations. If the state is allowed, through removal of MoE provisions, to cut funding, the vulnerable districts and students within those districts will suffer disproportionately.

Additionally, removal of MoE stands to undermine the driving principle of Title I, as federal dollars would inevitably be used to plug large holes in state and local support for public education, leaving less federal dollars available to expend on meaningful academic achievement and reform efforts to graduate college- and career-ready students.

#### **Ensuring Federal Funds Serve and Improve Public Schools**

America's public schools enroll more than 90 percent of our nation's students. Public schools are the only schools bound by law to best serve and meet the needs of all students; including those with physical and cognitive disabilities, behavioral challenges, and students of all socioeconomic backgrounds. PTA feels strongly that all stakeholders must foster a supportive environment for our public school system while assisting it to adjust and respond to changing demographics and needs, and reforming appropriately. Reauthorization of ESEA should carry with it no provisions intended to divert public funds from public schools. H.R.3990 expands private school authority over the allocation and implementation of public education funds.

#### *Federal Funds Used for Private Scholarships*

Part B of this act includes explicit reference to the ability of states and districts to use federal dollars for non-public use, including scholarships, or vouchers, for private school tuition. PTA is opposed to the allowable expenditure of federal funds on private school vouchers. Voucher programs fail to promulgate the statutory intent of ESEA – to provide equal access to quality education for all students. Instead, voucher programs place a select few students into qualifying private schools, leaving students who are most challenging to

educate behind in the public schools, and creating a barrier to success for those students not enrolled in the program.

Additionally, research of ongoing voucher programs in cities across the country consistently shows a lack of effectiveness in improving student academic achievement, especially for low-income students. For example, a recent five-year longitudinal study released by the Wisconsin Legislative Audit Bureau concluded that Milwaukee students receiving vouchers to attend private and religious schools perform no better on summative assessments than do their peers enrolled in the Milwaukee public school system.

PTA believes federal funds should go toward research-based, effective programs, instruction, and curriculum support to improve academic achievement and close achievement gaps. The need for efficiently utilized federal education resources is profound, as our schools and districts struggle to keep pace with demand in a stalled economy. The committee should amend H.R.3989 to explicitly deny the use of federal education funds for private school supports and voucher programs.

#### *Expansion of Equitable Services*

Provisions in H.R.3990 regarding provision of services to eligible students not enrolled in public schools will result in a higher cost burden shouldered by public school districts, and will likely decrease the availability and quality of base services without at all improving student outcomes. The proposed requirement that services be provided to private school students on an equitable and individual basis represents a significant expansion from current statute. Again, PTA strongly supports public funds in support of public schools and the students they serve.

PTA is thankful to Chairman Kline for his efforts to reauthorize and improve ESEA this Congress. PTA remains committed to a true bipartisan reauthorization and is hopeful that both majority and minority committee members and leadership will be afforded the opportunity to meaningfully contribute to the reauthorization process, and that the resulting legislative vehicle(s), either the acts under consideration in today's proceedings or acts yet-to-be introduced, move forward from the Committee with strong consensus among all stakeholders. ESEA is in desperate need of serious revisions. PTA recognizes that sound policy solutions for improvements to our nation's education delivery system are not held exclusively by either side of the aisle.

National PTA looks forward to close collaboration with majority and minority leadership and committee members on improvements to H.R. 3989 and H.R.3990 and completion of ESEA reauthorization. Parents, students, teachers, and administrators need and deserve a fully-functioning federal education law that encourages and rewards innovation while safeguarding access to quality education for *all* children.