



*A Union of Professionals*

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Testimony before the U.S. House of Representatives  
Committee on Education and Labor**

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On behalf of the American Federation of Teachers (AFT), thank you for inviting me to speak with you today to discuss the Committee's No Child Left Behind (NCLB) reauthorization draft.

The AFT understands that the bill is a "draft" document, and that is how we have approached it.

The easiest thing in the world would be for me to say that the draft is fine, let's move it along, and let's get it done. But that wouldn't be the right or responsible thing to do.

I want to say, candidly, that we would be troubled – very troubled – if we thought the final bill was going to look a lot like this draft.

Parents, teachers, elected officials and others have called for substantive changes to NCLB. This draft does not appear to address those concerns adequately, and it is clear that more work needs to be done to fix the law's fundamental problems.

More than five years of experience with NCLB has taught us many things. Chief among them is the need to take time and care to ensure—as nearly as possible—that what is enacted in Washington will work in our nation's classrooms. We cannot achieve the law's goals if we do otherwise.

We sent initial comments on Title I last week. We are still reviewing Titles II through Title XI, which came to us late Thursday night.

Our comments on Title I address our specific concerns about the need to fix adequate yearly progress (AYP), a flawed accountability system that that does not give credit to schools that started further behind but are making real progress not recognized under the law. Unfortunately, this discussion draft doesn't fix AYP. It makes it much more complex.

We saw some provisions aimed at improving this part of current law, but in all candor these changes do not go far enough and fail to fully address troubling aspects of current law.

Let me just single out one improvement in the Committee's draft. We are pleased that the draft offers a more realistic approach to identifying schools for school improvement by allowing such schools to be selected based on the performance of the same subgroup in the same subject.

That's a step in the right direction, and there are others. But too much of this discussion draft moves us in the wrong direction.

I am not going to go into great detail, but let me just say this about the draft's shortcomings.

For more than five years, our teachers and others who have had to work under NCLB have said:

- Fix AYP;
- Give credit for student progress;
- Get the testing under control so that it informs instruction instead of interfering with it; and
- Give struggling schools the help they need, not punitive sanctions that don't work.

Everyone said we needed a growth model, but everyone had a different concept of what that meant. The committee's charge is to propose a growth model that will work. And when we say "work," we don't mean low standards and no accountability. Unfortunately, the growth model that is being proposed is in reality a trajectory model and does not fully give credit for the gains in student achievement that schools are making. This is clearly an area that needs more thought and work.

Instead of giving struggling schools more help when they need it most, the draft is requiring the continued use of supplemental educational services (SES) as an intervention for high priority schools despite the lack of any reliable data that demonstrates they are effective. Schools that are not making progress need to have the flexibility to choose which interventions meet their needs.

Let me take a moment to say something about the issue of comparability. The AFT's long-standing commitment to equity for disadvantaged students tells you more about our support for comparability than anything I could say here. Every child should be taught by a highly qualified teacher.

We have to work together to help make that happen.

The AFT supports an approach that we know works, based on our experience in Miami and the ABC Unified School District in California. Simply put, if we want highly qualified teachers to work in hard-to-staff schools, we must address the factors that will improve learning and teaching conditions. Unfortunately, these schools often suffer from terrible building conditions, unsupportive leadership, and a lack of professional supports, as well as other factors that contribute to an unacceptable learning and teaching environment. If we are to improve teaching and learning at Title I schools, then states and local school districts must first address these underlying systemic problems. We need real remedies, not ones that have the potential to drive teachers out of the profession or to other, more-advantaged schools.

Another challenge for the Committee is to identify the best ways to attract and retain highly qualified teachers where they are needed the most. The AFT believes that the approach proposed in Title II of the draft would impose a top-down policy that jeopardizes buy-in from the teachers and, ultimately, the success of the program. It also interjects federal law into the collective bargaining process— a matter that is within the purview of state and local law.

I know from my many discussions with our members and our state and local leaders that making improvements to NCLB and getting it right needs to happen as soon as possible. However, I think that it is important that the product, not the clock, drives this process.

When all is said and done – whether it’s this session or 2008 or 2009 – I can't go back to our members and say, “This bill is good because it's not as bad as the original NCLB.” I can't go back and say, “The final bill is good because it’s not as bad as the discussion draft.”

I want to tell our members that “This bill is good for your students, it's good for public schools, and it's good for your communities.”

We're glad the committee has kicked off the discussion. But let's be honest: much, much more work needs to be done, and much more serious dialogue needs to occur before a final bill is passed.

Let’s keep in mind what the goal is here. It is to produce a law that evaluates schools and holds them accountable in a fair and reliable way. It is to ensure that tests are aligned with standards so they can support good instruction. Finally, it is to hold students to high standards while also giving them the help they need if they are struggling.

Our nation’s children deserve a law that works. We have a long way to go before this draft passes this test.

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