



A Union of Professionals

September 16, 2007

AFT's Major Concerns with the ESEA Discussion Draft

Overview: As you know, the release of the discussion draft on reauthorization has elicited strong reaction from a broad spectrum of groups. To be clear, the AFT's position is that there are many areas of the draft with which we have concerns; the timeline toward markup and floor consideration should be driven by the product, not by the clock.

Here are the AFT's primary concerns with the current draft:

Multiple Indicators: The goal behind multiple measures is to move away from dependence upon a single high-stakes test, so that we can get a more reliable picture of how our students and schools are doing. The additional indicators proposed in the reauthorization draft may have little impact on helping effective schools meet AYP, given the limited weights provided to the draft's multiple indicators. Further, the expected rates of growth and goals for the multiple measures are set at an unrealistic level. In addition, one of the two additional indicators allowed for elementary schools are state assessments in other subjects, which may lead to increased test prep and testing of students.

Growth Models: The draft allows growth models in name only. 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 many schools are making because schools that start further behind are required to show more growth than higher-scoring schools to get credit for their progress. This defeats the whole notion of growth models and value-added systems. There is no logical reason to establish growth models if they cannot recognize and give credit for meaningful academic progress—no matter where the school started. Finally, schools that do not yet have the capacity to measure individual student progress should not be prohibited from implementing a growth model.

Improved Recognition of Schools in Need of Improvement: The draft offers a more realistic approach to identifying schools for school improvement by allowing such schools to be identified based on the performance of the same subgroup in the same subject. It also maintains the safe harbor provision and the use of confidence intervals. However, the use of confidence intervals needs to be expanded to cover multiple indicators and growth models.

Performance Pay: The proposed performance pay program mandates that student test scores be used as a measure to determine if a teacher is exemplary and therefore qualified to receive performance pay. The AFT opposes mandating the use of student test scores to evaluate teachers. This is based on our belief that this is unsound education policy and would represent a federal intrusion into compensation issues, a



A Union of Professionals

mandatory subject of collective bargaining. Because there is no federal collective bargaining law, this is a matter that is within the purview of state and local—not federal—laws.

Moreover, the proposed incentive pay and career ladder programs are problematic because they do not provide a mechanism through which teachers are to be included in the process from beginning to end. There is some language that requires teacher involvement, but it is limited. Based on our members' experiences with the implementation of the Teacher Incentive Fund and the RENEWAAL Act in New Orleans, we believe there needs to be real teacher buy-in if these types of plans are to be successful

Supplemental Educational Services (SES): Under current law, students attending schools identified for improvement are eligible to access tutoring services paid for by federal Title I funds from a provider approved by the state. However, the program lacks any real accountability and transparency. Consequently, too little information is publicly available on how providers are selected and funds accounted for. In the five and half years this intervention has been available, information about the program that we understand was requested from GAO has not been provided (at least not to our knowledge), and there has not been any evidence from state or district studies that SES is effective at raising student achievement. Clearly, Congress should give greater scrutiny to a program that has misdirected millions of dollars that could have been used on proven programs for schools that need more assistance, not less. Despite the lack of any evidence of success, SES is maintained in the draft bill and is a mandated intervention for high-priority and high-priority redesign schools. We also are concerned that the discussion draft does not require SES providers to hire tutors who meet the definition of a highly qualified teacher. Local education agencies should be given the flexibility to use available funds for any research-based interventions tailored to local needs, and SES providers should be required to use highly qualified instructors.

Collective Bargaining: The draft fails to include sufficient collective bargaining protections and threatens to weaken the rights of school employees. The draft legislation places a limitation on how many years a student can be taught by a novice teacher, provides financial incentives and rewards to teachers who serve in schools eligible for school improvement or identified for redesign, monetary rewards for International Baccalaureate and Advanced Placement teachers, and new comparability requirements for teacher salaries. All of these suggested provisions deal with issues that are within the scope of collective bargaining. The draft should be revised to include sufficient collective bargaining protections throughout.

Comparability: The draft attempts to deal with the distribution of experienced teachers, but its mechanism for doing so will not achieve this goal. Instead, more energy, attention and resources should be focused on providing true incentives to attract teachers to hard-to-staff schools. Many of our most disadvantaged schools



A Union of Professionals

suffer from terrible building conditions, unsupportive leadership and a lack of professional supports. If we are to improve teaching and learning at Title I schools, then states and local school districts must first address these underlying issues. We need real remedies, not ones that could lead to forced transfers, which would simply drive teachers out of the profession or to other, more-advantaged schools.

Lack of Funding: The draft puts more mandates on states and local school districts. For example, the draft will label a school as failing to make AYP due to a failure to meet graduation rate growth targets, without guaranteeing that funds will be provided to help schools improve graduation rates. We are concerned that these new mandates will not be accompanied by the funding levels necessary to implement them.