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## No consensus on No Child Left Behind

President, Congress at odds over best way to revise law

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Washington As President Barack Obama pushes Congress to revise the No Child Left Behind law by fall, Republicans and Democrats agree the sweeping education act needs fixes.

However, his proposals have raised concerns about the federal government's role in K-12 classrooms.

Two Michigan lawmakers — Reps. Dale Kildee, D-Flint, and Tim Walberg, R-Tipton — sit on the House's Committee on Education and the Workforce, which will help shape the new education law to determine how students are tested, what schools are labeled as low-performing and what accountability measures schools and teachers face.

Kildee is cautious about the push to tie student performance to teacher pay and supports boosting federal funding, while Walberg is a strong advocate for rolling back federal control.

"The problem is I don't think the federal government should have done it," Walberg said in regard to the implementation of No Child. "I don't think it's our responsibility to do it. We don't have any backup from the Constitution to do that at all. Not one article. One section. One sentence."

Speaking before a Virginia school earlier this month, Obama called on Congress to have a bill ready for him before the new academic year starts and said he will not tolerate cuts to education spending because the investment is too important to the future. Among his reform ideas: linking teacher evaluations with student achievement, extending Race to the Top competitive grants to school districts and continuing the annual testing schedule but with new accountability measures and flexibility for states.

The chairman of the Democrat-led Senate Health, Education, Labor and Pensions Committee, Tom Harkin of Iowa, wants to have a bill ready in his committee before Congress' Easter recess. However, the new GOP-controlled House is taking a more cautious approach and instead began committee work by discussing the role the federal government should have in local schools.

John Kline, R-Minn., chairman of the House education committee, said he will not allow the president's "arbitrary timeline" to undermine reforms.

Kline shares the same frustrations of new GOP House members that the federal government has become too involved in classroom decisions and hasn't worked in the best interest of students, an aide said, pointing to a Cato Institute study showing spending on education has increased, but student achievement has flatlined.

Walberg takes the argument for local control further, believing there's nothing wrong with high standards, evaluation and data reporting.

Walberg co-sponsored legislation in his previous term to allow states with a solid education plan to opt out of the No Child requirements and still receive federal dollars. That could still come into play, he says.

Kildee, the ranking member on the House's subcommittee on early childhood, elementary and secondary education, is among eight members of Congress invited to the White House to work with the president on fixing the law.

"We've made progress, but there's a long way to reaching an agreement," Kildee said before a recent meeting.

Believing federal funding needs to extend beyond academics, Kildee wants to beef up Title I funding for low-income schools and preserve the 21st Century Community Learning Centers program where students can tap cultural, athletic and social skills afterschool, rather than as an extension of the regular school day.

Obama's support of giving merit pay to outstanding teachers and getting rid of ineffective teachers more quickly — both ideas that challenge sacred teacher union tenure rules — has drawn the support of some Republicans, including Walberg and Kline. Kildee has a measured approach.

"Education is primarily a local function, a state responsibility and a very important federal concern," Kildee said. "The question is, how far do we need to extend the federal concern when it comes to very difficult things like teacher evaluations?"

## Consequences of failure

No Child Left Behind was signed into law by President George W. Bush in 2002 with bipartisan support. The law called for annual testing for public school children in grades three through eight and in high school, with the results determining whether the schools make adequate yearly progress.

Schools that don't meet the proficiency targets — which states set — are commonly dubbed "failing" and face federally prescribed consequences.

Recently, U.S. Education Secretary Arne Duncan told members of Congress that schools labeled "failing" could jump from 37 percent to 82 percent this year.

"This law has created dozens of ways for schools to fail and very few ways to help them succeed," Duncan said.

Obama's plan tosses out the goal of all students being proficient by 2014 and instead focuses on all students graduating from high school prepared for a career and college. Annual testing would continue under his proposal, but the penalties for schools that don't meet benchmarks will be concentrated at the bottom 5 percent, leaving more flexibility with the states for the other 95 percent.

Instead of judging schools by a pass/fail standard, Obama wants to acknowledge student growth and gains.

He's pushing to extend his Race to the Top competitive grant program that rewards education reforms, calling it the "most significant education reform initiative we've seen in a generation."

## Not good for Michigan

Kline has concerns over the president's four school turnaround models for the bottom 5 percent of schools as well as the Race to the Top competitive grant system. Education experts also caution about expanding Race to the Top, which Michigan lost out on twice.

Barbara Byrd-Bennett, chief academic and accountability auditor for Detroit Public Schools, is worried Detroit will be passed over for the grants under the president's model.

"I am absolutely concerned Detroit kids would be hurt by this," Byrd-Bennett said.

If Obama and House and Senate leaders pass a bipartisan education law, it would be the best sign of cooperation since the tax cut extension deal Obama helped forge during the lame duck session. Compromise, perhaps, is around the corner.

Even Walberg, who has questioned the constitutionality of the U.S. Department of Education, said there may be a point in hammering out the legislation.

"I'll swallow hard, hold my breath and vote for it," he said.

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