

Testimony
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Chairmen Hunter and Kline, Ranking Member Miller, and Members of the Committee:

I appreciate the opportunity to address the Committee today on issues relative to the reauthorization of the Elementary and Secondary Education Act (ESEA).

My name is Benny L. Gooden and I am Superintendent of the Fort Smith Public Schools in Fort Smith Arkansas. I am speaking to you with more than 45 years in public education in both rural and urban settings. I am in my 37th year as a superintendent with service in both Arkansas and Missouri. I currently serve as President-elect of the American Association of School Administrators. Fort Smith is an urban community located on Arkansas' western border with Oklahoma. The Fort Smith Public Schools serve more than 14,000 students. The demographic characteristics include a district poverty rate approaching 70% based on free or reduced meal qualifiers, almost 5,000 students with non-English home languages and an ethnic mix which results in no single group majority in the District or in more than one-half of our 26 schools.

Understanding the Environment

Students entering our schools bring widely differing skills to the starting line. Some have had a rich array of home and community experiences and are ready and eager learners. Others come from a background which has done little to prepare them for active academic growth. During the past decade we have experienced every aspect of the No Child Left Behind protocol. As a diverse district with large subgroups in several areas, there is no refuge in small sample sizes to shield schools from accountability. In fact, many of our schools will present challenging students who will be counted in several different subgroups to the detriment of each. We have seen schools defy the odds and meet the targeted goals, while others face the disappointment when one subgroup or another will result in the dreaded label "failing school" as the newspapers often trumpet.

Recently we saw two of our persistently low performing elementary schools meet standards—reflecting growth of proficient or advanced students of more than 20%. Both schools are more than 90% free and reduced lunch qualifiers with non-English background students in the majority. There was no simple formula they applied to make the required progress. Their success was a persistent concentration on the performance data, the use of formative assessments to guide instruction and a rich menu of in-time professional development to build capacity in a dedicated teaching staff. As for the teachers and principals, this was the hard work of education.

We are not at the finish line, and under the current standards it is unlikely that we will ever be at the desired level of performance in every school or subgroup. However, the morale of teachers who see growth and know that they are appreciated for their work and recognized for their

accomplishments will ensure continued progress. You see, we were attempting to “leave no child behind” long before that phrase was attached to a piece of federal legislation.

Learning from Experience with NCLB

As Congress actively pursues the process of ESEA reauthorization, it is worthwhile to note successes from the previous Act and our experiences during the last decade in schools throughout America. Some positive highlights the 2001 Act, No Child Left Behind as it is known include:

- As the name implies, articulating the imperative to serve all children made an important statement. While most serious educators understand this imperative, it has been positive to emphasize it as a matter of public policy.
- Requiring that performance data be disaggregated in order to see relative success among several subgroups heightened awareness and made educators accountable for all students. Using the power of data to focus upon relative achievement needs validates successes while bringing low performers into clearer focus.
- Emphasizing transparency regarding results has increased the awareness of stakeholders and the public regarding the need for improved student performance among all groups. This aspect of accountability will continue to engage parents and the public regarding the challenges and successes schools experience at the local, state and national levels.

These successes in the current legislation should be continued and enhanced during reauthorization to further emphasize accountability with integrity for all schools. Any federal accountability mandates should be applicable to all schools.

There are a number of issues which must be addressed in the reauthorization if ESEA is to move schools and students to increased levels of college and career readiness. Necessary changes of which educators and the public are keenly aware include:

- Many state assessment systems fail to instill confidence that they measure performance uniformly. Fifty different sets of standards and assessments to measure them simply fail to provide the evidence of performance which accountability requires. This disparity was recently reported in a *Wall Street Journal* article which detailed the different standards for passage relative to the only real nationwide measurement, the NAEP. This report was based on an analysis produced for the U.S. Department of Education. While few would endorse a “national test,” moving toward a commonly accepted set of standards and assessments should result in confidence that expectations—the basis for accountability—will be comparable in California, Maine, Washington and Florida—and all the states in between. This will give parents some assurance that their schools are on par with others.
- Using a single test to gauge student and school success fails to support targeted teaching and leads to the mischaracterization of schools. This factor undermines acceptance of an assessment and accountability system by educators and a skeptical public. In consideration of the range of needs students bring to our schools—from disabilities to language minority—using a single measure to determine success is frustrating to students and parents and demeaning to educators who know that this is not consistent with best professional practice. Using multiple measures to reflect student achievement will help

ensure appropriateness in testing. Adding formative assessments will make the process of assessing for accountability valid and reliable.

- Likewise, using a “pass/fail” system in which unsuccessful performance by one or a small group of students brands an entire school or district as “failing” is inconsistent with what educators and the public know about groups of students or schools. This factor has been affirmed by a sequence of Gallup Polls in which an increasing percentage of the poll respondents hold unfavorable views of NCLB as a tool to improve schools. Parents and teachers find it incredible that a scorecard for adequate yearly progress can include more than 40 ways to fail with uniform consequences whether one or three dozen categories of students fail to measure up. Simply stated, it is difficult to find thoughtful educators, parents or the public who accept a 100% performance standard with onerous penalties for failure to reach the goal—regardless of the presence of many factors outside the control of the educators who are held accountable. This is not unlike assigning an aging competitor like me to run the 1,000 meter run with a prescribed time standard—and to use the same time standard for another competitor like my daughter who is half my age and who regularly competes in triathlons.
- The sanctions which were included in NCLB and which are proposed for continuation under the Department of Education blueprint are inconsistent with what we know about school improvement or the motivation of professionals. Closing the school or replacing the existing principals and teachers because a group of students has failed to reach the standard is not appropriate or reasonable in many rural and urban settings. As former Secretary of Defense Donald Rumsfeld once noted in another context, “As you know, you go to war with the army you have, not the army you might want or wish to have at a later time.” Schools will improve student performance by supporting those teachers and principals who work there every day and by giving them the resources and building their capacity to address the student needs that emerge. We are unlikely to reach our goals by demeaning the very educators we count on to get the results.

Improving ESEA for America’s Schools

Congress can take several direct steps to ensure high standards and accountability for reaching them while building on best practices and using strategies supported by research.

Assessment Strategies

We must use multiple measures which are appropriate for the content and students being assessed. Assessing students with serious disabilities using the same instrument used on the highest academic performers is highly problematic and fails to address individual needs. Provisions for portfolio assessments have been so restrictive that they do not sufficiently address this issue. Likewise requiring students with little or no facility in English to sit for a test they cannot comprehend is counterproductive for all concerned. Great teachers agonize in disbelief at a federally mandated policy which requires practices that they know are not only contrary to best professional practice, but which defy common sense. In this context, test design and implementation should be the purview of the states and must include adaptive assessments which

are designed for the context in which they are used. This imperative mandates the use of a variety of assessment tools which are a fit for a variety of situations.

Formative assessments should be used to guide instruction and to reflect student growth over time. The current “high stakes” test administered annually for accountability is little more than an educational autopsy. Such tests are of little value in guiding instructional improvement. Similarly, using only the proficient or advanced performers as contributors to adequate yearly progress determinations diminishes the significance of assessments for those whose progress has not reached the proficient standard. These students and their teachers need the motivation to show significant growth among even the lowest performers.

In consideration of this factor, the Fort Smith Public Schools have targeted students scoring below basic on the state Benchmark exam for special attention. This targeted instruction by our best staff has resulted in a dramatic reduction of total students in this category. We are now at the point where we believe that a “zero out” goal is within our grasp. For these persistently challenged students, raising their performance to higher levels literally means the difference between a bleak future and one which presents hope and the potential for success.

Accountability for Results

Success for all schools and students must be an attainable goal. The 100% goal is noble, but it is unlikely to be achieved if rigor in teaching and testing is to be emphasized. Measuring growth is critical and must be an integral part of any accountability system. A fair and balanced system includes absolute levels of attainment with credit for growth over time. A focus on individual students and their longitudinal progress must be a component in any improved accountability system. Simply looking at different cohorts and noting their relative performance reveals very little about real progress.

The overriding effects of poverty in many communities cannot be ignored. The 2011 Kids Count data released by the Annie E. Casey Foundation documents the steady increase in the percentage of students in America living in poverty. This factor is especially prevalent in the South. A challenging economy has only exacerbated this situation. By failing to acknowledge the pervasive impact which intractable situational and generational poverty has on families and the children in our schools, we are attempting to do the educational equivalent of treating an epidemic of a contagious disease by raising the requirements for health care workers and punishing them as more cases appear.

An important part of the accountability system must continue to address high school completion. The *Diplomas Count* project continues to document the abysmal graduation rates reflected in school districts large and small across America. While the Fort Smith Schools have been recognized by the *Diplomas Count* report as “beating the odds” and “overachieving” and while we lead large districts in our state, our performance is not enough. Nonetheless, when the completion methodology is finalized, it is essential that factors outside the control of schools be considered. Just as a four-year college degree is a faint memory for which parents dream in today’s higher education market, so a rigid four-year high school cohort measurement is inadequate. Consideration must also be given to career and technical students whose

apprenticeship or modified instructional programs vary from the traditional norm. The entire methodology must be refined and standardized to reflect the realities of our adolescent society.

High school improvement is a heavy lift. At the core of improving high schools must be enrolling more students into more challenging classes while increasing rigor in all classes. Fort Smith's two high schools have emphasized Advanced Placement courses. While our more affluent high school has been a leader in AP enrollment and performance for many years, enrollment was significantly lower at our more diverse campus as many students believed that AP classes were for others, but not for them. Through participation in the AAIMS initiative, AP enrollment has more than doubled and the district-wide test performance has continued to be strong. Rigor pays dividends for students as we raise expectations. The data continue to support more rigor and can be used to guide students to college and career readiness.

The sanctions and models for turnaround mandated for schools which fail to reach the arbitrary adequate yearly progress goal are quite narrow and present no real choices in some communities. Washington does not know best in addressing low performance. The state education agencies can and must hold local schools accountable for improving student academic progress in a quest for rigorous college and career readiness for every student. However, what is best for a school in rural Arkansas may be vastly different from the remedy for a school in urban Chicago. Selecting remedies is not something easily done from Washington—and sometimes, not even from Little Rock. Technical assistance to support local efforts is definitely appropriate, but a narrow menu of mandated actions has not been found to be successful.

Some of our most challenging campuses with more than 90% poverty, ethnic diversity, more than 50% limited English students, and a highly mobile population demonstrate growth—if not achieving adequate yearly progress. Various campuses find successful strategies which may vary—just as the neighborhood culture varies. The common ingredients which yield results are a committed faculty and school leadership with support from skilled professionals appropriate to the school's needs. Transforming these campuses from advanced school improvement status to achieving is a source of justifiable satisfaction to those educators who chose to work in a challenging environment.

The only way schools in Fort Smith, in New York or across America will be able to compete with those international counterparts against whom we are often measured is through a strong corps of trained teachers and school leaders. When Marc Tucker recently released a paper for the National Center on Education and the Economy comparing school reform initiatives currently in vogue in the United States with practices in the highest-performing countries, the message was compelling. All our emphasis on testing, sanctions, choice, competition and other popular trends appears to be absent in some of the highest achieving countries. Despite the many demographic and systemic differences between our nations, our successful counterparts recruit teachers from among the most able students in our high schools and colleges, compensate them well and give them the respect and support afforded to the most elite professionals in the various nations. We might want to consider some of these examples as long-term strategies to help our system of public education to improve its performance.

Locally, we have quickly realized that there is no “silver bullet” of school improvement. However, there is an array of research-based practices which will yield measured progress. At the top of the list must be a culture of instructional leadership by school principals. Building the knowledge base and helping principals to be true instructional experts is critical. In a related way, the placement of highly proficient instructional facilitators in struggling schools makes it possible to provide in-time professional development opportunities for teachers which are directly related to the student needs of the day. Collaboration opportunities for teachers and the collegial focus on school-wide instruction are also vital for improvement to occur. Specific professional development to address needs at a particular campus is a must. Many English language learners (ELL) requires training for all staff who will serve these students. The Fort Smith Schools made a significant investment of available funds in the area of professional development to build capacity in staff who serve the ELL population.

Our Imperative

In summary, public education is the vehicle which can determine the difference between bright futures and lifetimes of failure and dependency. Are we accountable? Of course! With a system which is transparent and coherent, and with a system which acknowledges the well-known fact that one size does not fit all, Congress can build on what we know to take our schools where we must be. The system leaders, building leaders and teachers in schools throughout America eagerly anticipate a positive reauthorization.

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