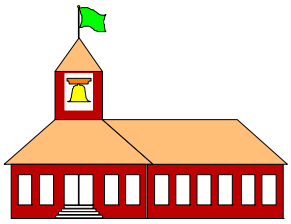
Policy Analysis Report . . .

Legislation in Need of Improvement: *Reauthorizing the No Child Left Behind Act to Better Address Barriers to Learning*



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Executive Summary*

Legislation in Need of Improvement:
Reauthorizing the No Child Left Behind Act to Better Address Barriers to Learning

Anticipating Congressional hearings related to reauthorizing the No Child Left Behind Act, the report provides an analysis of preliminary hearings and related reports and proposals. The specific focus is on whether the reauthorization *process* is likely to include a substantive discussion of what is needed to enable all children to have an equal opportunity to succeed at school.

As will be evident:

> *there has been no major discussion of the need for a systematic focus on learning supports to address barriers to learning and teaching.*

Given this, the report cautions that this matter is unlikely to be on the agenda in upcoming Congressional hearings unless remarkable efforts are made between now and then.

The first section or the report highlights dominant voices in the reauthorization discussion, what they are emphasizing, and what they are *not* proposing. The source material for this section was (1) the testimony to the *Aspen Institute Commission on No Child Left Behind* (chaired by former U.S. Secretary of Health and Human Services Tommy Thompson and Former Georgia Governor Roy Barnes), (2) the ESEA Reauthorization Policy Statement from the Council of Chief State Officers (CCSSO), and (3) the summary of testimony and recommendations stemming from the series of public hearings on the No Child Left Behind Act conducted by the Public Education Network (PEN).

This is followed by a brief analysis of proposals that have indirect and direct relevance to addressing nonacademic barriers to learning and teaching.

In discussing implications, it is stressed that the reauthorization process so far has been designed in ways that make it extremely difficult to have serious attention paid to promoting development of a comprehensive system of learning supports to address barriers and enable learning and teaching.

The report concludes by underscoring why it is imperative to ensure that these matters are a major agenda item during Congressional reauthorization hearings.

*(This report can be accessed at: http://smhp.psych.ucla.edu/pdfdocs/nclbra.pdf)

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Preface

In July 2006, anticipating hearings related to reauthorizing the Elementary and Secondary Education Act (currently named the No Child Left Behind Act), our Center prepared an analysis focusing on the ways in which learning supports need to be enhanced in the reauthorized law. A first draft of this brief report was sent out for widespread reaction; feedback was incorporated; then the revision was circulated widely. (See: *For Consideration in Reauthorizing the No Child Left Behind Act . . . Promoting a Systematic Focus on Learning Supports to Address Barriers to Learning and Teaching* – online at http://smhp.psych.ucla.edu/promotingsystem.htm)

The brief stresses the need for the reauthorization to enhance a focus on classroom and school-wide effectiveness for addressing factors interfering with the success of so many students. The specific emphasis is on fully integrating an agenda for developing a comprehensive system of learning supports as an essential component in school improvement. As the growing national initiative for *New Directions for Student Support*[*] has underscored, failure to develop such a system is contributing to the perpetuation of achievement gaps and dropout rates and is playing a major role in the plateauing of short term achievement gains.

In August, we took another step with respect to the reauthorization. A message was sent across the country indicating our interest in gathering and synthesizing information on reauthorization proposals relevant to addressing barriers to learning and teaching. In September, we circulated what Center staff had identified to date and requested information on anything major we had missed.

At the same time, we began to analyze the content of what was being advocated in the testimony and reports reported online. We focused first on the work of three representative groups: (1) the *Aspen Institute Commission on No Child Left Behind* (chaired by former U.S. Secretary of Health and Human Services Tommy Thompson and Former Georgia Governor Roy Barnes), (2) the Council of Chief State Officers (CCSSO), and (3) the Public Education Network (PEN). Then, we analyzed a sample of proposals that have indirect and direct relevance to addressing nonacademic barriers to learning and teaching.

This brief presents our findings. We hope it will be evident that our intent is not to criticize any group or individual. And, as will be clear to the reader, our emphasis is more on what *isn't* being covered by the prevailing agenda than on what is.

While not stated directly, we think the concerns we address are at the root of the matters raised in the testimony to the Aspen Institute Commission by Valerie Woodruff, President of the Council of Chief State Officers. She stated:

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*For information on the National Initiative: New Directions for Student Support, see http://smhp.psych.ucla.edu/summit2002/ndannouncement.htm

"At the time of NCLB's enactment, state movement toward standards-based reform was uneven. NCLB mandated, as a requirement of receipt of federal funds, nationwide state action on several foundations of standards-based reform, based on specific minimum requirements. Today, based in part on NCLB, those foundations are widely in place, including state standards, assessments, data systems, accountability systems, teacher quality requirements, and more. There is room for continuous improvement in all of these areas, but we should all clearly understand and appreciate the substantial work that has occurred in states across the country to put these systems in place.

Now, the question is how do we build on and invest in these systems to promote innovation and advancement in a manner that can best improve student achievement and close achievement gaps. To date, NCLB implementation has not fully supported or promoted that kind of innovation. States are ready to move beyond NCLB."

With all this in mind, the following is meant to highlight some of the new directions that Congress, states, and localities need to consider.

Howard Adelman & Linda Taylor
November, 2006

Legislation in Need of Improvement: *Reauthorizing the No Child Left Behind Act to Better Address Barriers to Learning*

As the 2002 mission statement of the Council of Chief State School Officers (CCSSO) clearly states, we need "an American education system that enables all children to succeed in school, work, and life." While interventions for *enabling* all children to succeed at school are not delineated by CCSSO, our Center's work has clarified that the key to achieving this ideal is a comprehensive enabling system – a system of learning supports.[1]

Our Center's report entitled *For Consideration in Reauthorizing the No Child Left Behind Act . . . Promoting a Systematic Focus on Learning Supports to Address Barriers to Learning and Teaching* proposes that an enabling system be included in the reauthorization of the Elementary and Secondary Education Act (currently named the No Child Left Behind Act). The report stresses:

> The upcoming reauthorization provides an opportunity to fill a significant gap in the *No Child Left Behind Act*. Specifically, additions are needed to Title I to enable all students to have an equal opportunity to succeed at school. These additions call for the promotion of a systematic focus on learning supports to address barriers to learning and teaching. (In the current act, such barriers are referred to as "major factors that have significantly affected the academic achievement of students.")
>
> online at http://smhp.psych.ucla.edu/promotingsystem.htm

The focus of the following is on whether the reauthorization *process* is likely to include a substantive discussion of what is needed to enable all children to have an equal opportunity to succeed at school.

The first thing that is evident in reviewing reauthorization forums and reports stemming from prominent groups is that the same points are being discussed over and over again. Therefore, for purposes of our analysis, it made sense to focus mainly on (a) three major groups whose work represents the prevailing nature and scope of discourse to date and (b) a sample of specific proposals related to addressing barriers to learning and teaching.

As will be evident from our analyses of the reauthorization process to date:

> *there has been no major discussion of the need for a systematic focus on learning supports to address barriers to learning and teaching.*

Given this, we suggest the matter is unlikely to be on the agenda in upcoming Congressional hearings unless remarkable efforts are made between now and then. We believe this report can be used by concerned parties as part of such efforts.

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[1]As defined in proposed legislation in California (AB 171): "Learning supports are the resources, strategies, and practices that provide physical, social, emotional, and intellectual supports intended to enable all pupils to have an equal opportunity for success at school. To accomplish this goal, a comprehensive, multifaceted, and cohesive learning support system should be integrated with instructional efforts and interventions provided in classrooms and school-wide to address barriers to learning and teaching."

As the lens for analyzing the reauthorization discussions, we use the concept of a comprehensive enabling system. In organizing this report, we highlight first dominant voices in the reauthorization discussion, what they are emphasizing, and what they are *not* proposing. The source material for this part of the report was (1) the testimony to the *Aspen Institute Commission on No Child Left Behind* (chaired by former U.S. Secretary of Health and Human Services Tommy Thompson and Former Georgia Governor Roy Barnes), (2) the ESEA Reauthorization Policy Statement from the Council of Chief State Officers (CCSSO), and (3) the summary of testimony and recommendations stemming from the series of public hearings on the No Child Left Behind Act conducted by the Public Education Network (PEN).

Then, we outline what we found with respect to proposals that have indirect and direct relevance to addressing nonacademic barriers to learning and teaching.

In discussing the implications of our analyses, we stress that the reauthorization process so far has been designed in ways that make it extremely difficult to have serious attention paid to promoting development of a comprehensive system of learning supports to address barriers and enable learning and teaching.

Finally, we underscore why it is imperative to ensure that these matters are a major agenda item during Congressional reauthorization hearings.

The Agenda at Hearings & in Reports

Whoever sets the agenda shapes what is discussed at hearings and limits the scope of who is invited to present. So, it is highly informative to look at such agenda. Similarly, while not usually stated, it is important to recognize that some form of agenda implicitly underlies statements of principles and policy. Thus, we begin with a look at agenda and guiding statements and move on to specific topics discussed.

Aspen Commission

The Aspen Commission's agenda can be seen in Exhibits 1 and 2. Exhibit 1 summarizes the stated mission, goals, and principles of the Commission; Exhibit 2 lists topics covered and who testified.

As is evident in the statements about the Commission's mission, overarching goal, guiding principles, and intended report, the agenda was designed to take a broad look at the strengths and weaknesses of the No Child Left Behind Act. Given what transpired, it seems clear that focusing on the weaknesses of what is *in the act* does not lead to an exploration of weaknesses stemming from what's *not* in the act.

Exhibit 1

About the Aspen Institute's Commission on No Child Left Behind

The stated mission of the Aspen Institute's Commission on No Child Left Behind "is to analyze the strengths and weaknesses of the No Child Left Behind Act (NCLB) and make bipartisan recommendations to Congress, Administration, State and local stakeholders, parents and the general public to ensure that the law is an effective tool in spurring academic achievement and closing the achievement gap."

As part of this effort, the Commission set out "to examine the impact of NCLB on Federal, State, and local efforts toward improving academic achievement for all students, reducing the achievement gap between disadvantaged students and their non-disadvantaged peers, improving instruction in core academic subjects, and recruiting and retaining a highly qualified teaching force."

The Commission's goal is to recommend "policies for improving the academic achievement of all students, reducing the achievement gap between groups of students, and addressing the real and perceived limitations of Federal, State, and local laws, regulations, and administrative actions." To this end, the Commission invited "experts, advocacy groups, parents and members of the general public to provide information and guidance."

The six principles guiding the Commission were stated as follows:

- All children can learn and should be expected to reach high standards.
- Accountability for public education systems in the United States must improve to enable students to excel.
- The achievement gap between disadvantaged students and their non disadvantaged peers must be eliminated to ensure that all children have the opportunity to succeed.
- Education results for all students must improve in order for the United States to remain competitive in the global marketplace.
- Parents have a right to expect their children to be taught by a highly qualified teacher. Teachers have the right to be treated like professionals, including access to sound working conditions and high quality preparation and ongoing professional development opportunities.
- Education reform must be coupled with additional resources, but Federal, State, and local resources must be used more efficiently and effectively to ensure results in return for the increased investment.

The Commission's report will "include, but need not be limited to:

- An analysis of the impact of Federal, State, and local statutory, regulatory, and administrative requirements on the effectiveness of improving academic achievement and closing the achievement gap.
- A review of the experiences of State and local governments, principals, and teachers in complying with the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act and the No Child Left Behind Act.
- A review of State and local data management systems in collecting pertinent student achievement data and measuring academic achievement.
- An examination of available research and information on the effectiveness of accountability systems in public education.
- An examination of available research and information on State and local assessment systems as compared to national and international standards.
- Recommendations regarding how Federal resources can best be used to improve educational results for all students.
- An analysis of how the Federal Government can help States and local education agencies improve the recruitment and retention of highly qualified personnel."

Exhibit 2
Topics for the Aspen Hearings and Roundtables and Those Who Provided Testimony

First Hearing: Focus on *teacher quality, recruitment, retention, and distribution*

Testimony by:

- Gavin Payne, Chief Deputy Superintendent, Office of the Superintendent, California Department of Education, Sacramento, CA
- Don Iglesias, Superintendent, San Jose Unified School District, San Jose, CA
- Russlynn Ali, Executive Director, The Education Trust—West, Oakland, CA
- Kitty Dixon, New Teacher Center, Santa Cruz, CA
- Pixie Hayward-Schickele, Teacher and Chair of the CTA ESEA Workgroup, California Teachers Association, Burlingame, CA
- Thomas Kane, Professor of Education and Economics, Graduate School of Education, Harvard University, Cambridge, MA

Second Hearing: Focus on *testing and how to ensure that assessments are designed to help and inform students and their schools*

Testimony by:

- Betty Sternberg, Commissioner, Connecticut State Department of Education, Hartford, CT
- Richard Blumenthal, Attorney General, State of Connecticut, Hartford, CT
- James Peyser, Chairman, Massachusetts State Board of Education, Boston, MA
- Joel Klein, Chancellor, New York City Department of Education, New York, NY
- William Taylor, Chair, Citizens' Commission on Civil Rights, Washington, DC, and Counsel to the NAACP in *Connecticut v. Spellings*
- Aimee Guidera, Director, Data Quality Campaign, National Center for Education Accountability, Washington, DC
- Stuart Kahl, President & CEO, Measured Progress Inc., Dover, NH

Third hearing: *Adequate Yearly Progress (AYP) provisions for Accountablity*

Testimony by:

- Kathy Cox, Superintendent, Georgia Department of Education
- John Winn, Commissioner, Florida Department of Education
- J. Alvin Wilbanks, CEO/Superintendent, Gwinnett County Public Schools, Georgia
- Lester McKee, Exec. Dir. for Research Planning and Accountability, Atlanta Public Schools
- Merchuria Chase Williams, PhD., President, Georgia Association of Educators

Fourth hearing: Focus on *school improvement, public school choice, supplemental services, corrective action and restructuring provisions*

Testimony by:

- Elizabeth Burmaster, State Superintendent, Wisconsin Department of Public Instruction
- The Honorable Gene Hickok, Senior Policy Director, the Dutko Group
- John Ashley, Executive Director, Wisconsin Association of School Boards, Inc.
- Yvonne Caamal Canul, Director, Office of School Improvement, Michigan Dept. of Education
- Sam Stringfield, Acting Chair, College of Educ. and Human Development, Univ. of Louisville
- Cheryl Clancy, Principal, Kosciuszko Middle School, Milwaukee, Wisconsin

Fifth hearing: Focus on: *Quality of education standards*

Testimony by:

- Mitt Romney, Governor, Massachusetts
- David Driscoll, Commissioner, Massachusetts Department of Education, Malden, MA
- Chester E. Finn, Jr., President, Thomas B. Fordham Foundation, Wash., DC
- Antonia Cortese, Executive Vice President, American Federation of Teachers, Wash., DC
- Michael Cohen, President, Achieve, Inc., Wash., DC
- Neal McCluskey, Education Policy Analyst, CATO Institute, Wash. DC
- Arthur J. Rothkopf, Senior Vice-President and Counselor to the President, U.S. Chamber of Commerce, Wash., DC
- Brian Gong, Exec. Director, National Center for the Improvement of Assessment, Dover, NH
- Susan Traiman, Director, Education and Workforce Policy, Business Roundtable, Wash., DC

(cont.)

Sixth hearing: Concerns of leading national organizations and education policy experts

Testimony by:

- Raymond Simon, Deputy Secretary, United States Department of Education
- Reg Weaver, President, National Education Association
- Edward J. McElroy, President, American Federation of Teachers
- Kati Haycock, Director, Education Trust
- Michael D. Casserly, Executive Director, Council of the Great City Schools
- Chris Whittle, CEO and Founder, Edison Schools
- Valerie Woodruff, Delaware Secretary of Education and President, CCSSO
- John Chubb, Koret Task Force, Hoover Institution, Stanford University
- Michael Petrilli, Vice Pres. for National Programs & Policy, The Thomas Fordham Foundation
- Reginald Felton, Director of Federal Relations, National School Boards Association
- Andrew Rotherham, Co-Founder and Co-Director, Education Sector
- Denise Greene-Wilkinson, Co-Chair, National Association of Secondary School Principals, NCLB Task Force
- Madeleine Will, Vice Pres. of Public Policy and Director, National Down Syndrome Society

Summer Roundtable Series

Focus on *parental and grassroots perspectives*

Testimony by:

- Wendy Puriefoy, President, Public Education Network
- Ronald E. Jackson, Executive Director, Citizens for Better Schools Birmingham, AL
- Charles "Chuck" Saylors, Secretary-Treasurer of National Parent Teacher Association
- Barbara Davidson with Standards Works in Washington, DC
- Cherie Takemoto, Exec. Dir. of the Parent Educ. Advocacy Training Center, Springfield, VA

Focus on *schools in rural communities*

Testimony by:

- Polly Feis, Deputy Commissioner, Nebraska Department of Education
- Joseph Long, Superintendent from Otsego Local School District in Tontogany, OH
- Kara Chrisman, a Math Teacher at Lamar High School in Lamar, AR
- Lorna Jimerson from the Rural School and Community Trust in Burlington, VT
- Carol Panzer, an Educ. Consultant, Southwest Plains Regional Service Center, Sublette, KS

Focus on *early childhood education*

Testimony by:

- Marsha Moore, Commissioner, Georgia Department of Early Care and Learning
- Sam Meisels, the President of the Erikson Institute, Chicago IL
- Libby Doggett, the Executive Director of Pre-K Now, Washington, DC
- Jim Hinson, Superintendent, Independence School District, Independence, MO
- Jim Lesko Delaware Department of Education, Dover, DE

English Language Learners (ELLs).

Testimony by:

- Margarita Pinkos, Deputy for Policy, Office of English Language Acquisition, U.S. Department of Education
- Joanne Urrutia, Administrative Director for the Division of Bilingual Education and World Languages at Miami-Dade County Public Schools
- Melissa Lazarin, National Council of La Raza
- Susan Valinski an Elementary Instructional Support Teacher working with English language learners in Fairfax County, VA

Students with disabilities

Testimony by:

- Susan Durant, Director, Office of Exceptional Children, South Carolina Dept. of Education
- David H. Rose, Co-Founding Director, CAST, Wakefield, MA
- Martha Thurlow, Director, National Center on Educational Outcomes, Minneapolis, MN
- Gwendolyn Mason, Director, Dept. of Special Education Services, Montgomery County, MD
- Katy Beh Neas, Consortium for Citizens with Disabilities, Washington, DC
- Ricki Sabia, Assoc. Dir., National Down Syndrome Society National Policy Center, Wash., DC
- Isabel García, Executive Director, Parent to Parent of Miami, Miami, FL
- Patti Ralabate, a Professional Associate for Special Needs with the National Education Association, Washington, DC

As can be seen in Exhibit 2, the topical focus was on refining existing sections of the Act. This included concerns about the impact of the Act on improving:

- *teacher quality, recruitment, retention, and distribution*
- *testing and how to ensure that assessments are designed to help and inform students and their schools*
- *Adequate Yearly Progress (AYP) provisions for Accountability*
- *school improvement, public school choice, supplemental services, corrective action and restructuring provisions*
- *quality of education standards*

In addition, the summer roundtables explored concerns related to the above as applied to the following specific populations and settings:

- *schools in rural communities*
- *early childhood education*
- *English Language Learners*
- *students with disabilities*

what wasn't discussed?

Those invited to provide testimony on the specific topics included a range of stakeholders, but mainly those who had a position on the strengths and weaknesses of current sections of the Act. Clearly, important improvements were proposed to address weaknesses, but no concerns were raised about the need to fill major gaps. For example, the discussion of supplementary services stressed a variety of matters that needed improvement in how tutoring is provided. Clearly, there have been problems in this arena that must be redressed. However, focusing only on these problems ignores the need to discuss whether limiting the concept of supplemental services to tutoring is appropriate. From the perspective of what is required to effectively enable students to succeed at school, the questions arise: Is tutoring all that is needed to address barriers to learning and teaching? And, will tutoring be effective in the absence of interventions for addressing such barriers?

Also, with respect to how the agenda and guiding principles shaped what was and wasn't discussed, it is noteworthy that the Commission appropriately expressed concern for teachers, but inappropriately ignored support staff and others who must play a key role if the achievement gap is to be reduced and graduation rates are to increase.

One might have expected that those representing English Language Learners and students with disabilities would have pointed to major gaps in how the law addresses matters such as problem prevention and the topic of intervening as early after the onset of problems as is feasible. Even with the limitations imposed by the agenda items, there was an opportunity to bring these matters up (e.g., in the discussion of "how to ensure that assessments are designed to help and inform students and their schools"). And, of course, anyone could have pointed out what was missing from the agenda. Instead, the testimony from these advocates focused mainly on concerns about the act's accountability provisions.

From our perspective then, the Aspen Commission's agenda was inadequate and the process flawed. We suggest that minimally there needed to be an explicitly stated agenda item focusing on "What's Missing?".[2] This is particularly important with respect to discussions of closing the achievement gap, dropout rates, and the plateauing of short term achievement gains. There continues to be a major disconnect between expressed concerns about these problems and what the law proposes as remedies. This disconnect must be addressed in reauthorizing the act. But, this seems unlikely to happen as long as discussions of the weaknesses in the law do not expand to include a focus specifically on improving systems at school and classroom levels that will comprehensively address barriers to learning and teaching. Such discussion can only emerge if the matter becomes a major agenda item as the reauthorization process moves forward.

Council of Chief State School Officers (CCSSO)

While CCSSO was represented at the Aspen Commission hearings, the organization naturally has its own agenda for the reauthorization.[3] In October 2006, the CCSSO issued its "ESEA Reauthorization Policy Statement" (see Exhibit 3). It should be noted that this brief statement is meant as a philosophical foundation for a more detailed set of proposals to be set forth early next year.

As is clear from CCSSO's core recommendations, the entire agenda is shaped around addressing weaknesses related to how the law addresses standards-based reforms to improve teaching and learning. In this context, the main emphasis is on the widespread concerns about the law's approach to accountability and the need for enhanced investment in innovation, research, technical assistance, and collaboration.

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[2]See the Center's policy brief entitled *School Improvement Planning: What's Missing?* online at http://smhp.psych.ucla.edu/whatsmissing.htm

[3]This was the case for many of the organizations that were invited to speak (e.g., the National Education Association, National Association of Secondary School Principals' NCLB Task Force, National School Boards Association, etc.).

Exhibit 3

CCSSO's ESEA Reauthorization Policy Statement as Reported in the Organization's News Release

"The policy statement reflects the core principles CCSSO believes should guide the reauthorization of ESEA. The document urges Congress to promote meaningful accountability along with greater support for innovation to improve student achievement.

> 'States are ready to move beyond *no child left behind to every child a graduate*, but they need greater flexibility and resources to implement the next steps in standards-based reform,' says Elizabeth Burmaster, Wisconsin state superintendent of public instruction and CCSSO ESEA Reauthorization Task Force chair. 'Dramatically increasing student achievement will require a new and meaningful state-federal partnership – one in which states and districts lead.'

Core recommendations from the policy statement include

- retaining a focus on accountability with increased support and greater freedom for state and local implementation of the foundations of standards-based reform
- offering greater support for state capacity and flexibility for states and districts to leverage the foundations of standards-based reforms to improve teaching and learning
- investing in innovation, research, technical assistance, and collaboration to inform state and local implementation of standards-based reforms

> 'This policy statement is the result of months of thoughtful work and deliberation by state chiefs across the country. CCSSO's ESEA reauthorization Task Force looked at the best way to build on the foundations that states have laid over the last several years to leverage federal law to focus on what matters most – improving student learning,' states Valerie Woodruff, CCSSO president and Delaware secretary of education.

CCSSO's ESEA Reauthorization Task Force was convened to identify the core principles that should guide reauthorization of ESEA. The task force consists of chiefs and a diverse group of other state education agency officials from across the country. The policy statement serves as a philosophical foundation for a more detailed reauthorization proposal to be released early next year."

To view the full statement, go to – http://www.ccsso.org/content/PDFs/ESEA_Policy_Stmnt.pdf

what's involved in enabling all children to succeed at school?

CCSSO's agenda reflects the primary concerns raised by state education agencies over the years since the No Child Left Behind Act was passed. The organization has a strong mandate from its members to fight for the type of changes highlighted by the core recommendations. All well and good. However, this should not preclude adding to the agenda. Given that the organization's mission statement calls for developing "an American education system that enables all children to succeed in school, work, and life," there should be a recommendation that the law directly promote development of a system of learning supports in ways that go well beyond the section on supplemental services (i.e., tutoring).

Public Education Network (PEN)

PEN describes itself as "a national organization of local education funds and individuals working to improve public schools and build citizen support for quality public education in low-income communities." In keeping with its belief that "an active, vocal constituency is the key to ensuring that every child, in every community, benefits from a quality public education," the organization has held periodic hearings and conducted surveys related to the No Child Left Behind Act.

A summary of nine hearings and a related online survey conducted by the Network between Sept. 2005 and Jan. 2006 is online. (See at http://www.publiceducation.org/2006_NCLB/main/index.asp.) The goals that shaped the agenda for these hearings were (1) to provide venues through which a public record of the local capacity to implement NCLB could be compiled, (2) to serve as a means to inform and mobilize the public on issues pertaining to public education and what it takes to improve its quality, (3) to give PEN and its national partners the information needed to bring public voices and concerns into the debate about reshaping NCLB, and (4) to create a public "résumé" for review by policymakers in the context of the law's reauthorization.

Clearly the Network had a broader agenda and reached out to a broader segment of stakeholders than other concerned groups. Thus, it yielded a wider range of feedback and recommendations. PEN's summary of what the public had to say not only underscores the matters raised at the Aspen Commission hearings and by CCSSO's core recommendations, they highlight other major problems that need to be addressed in the reauthorization. Among the concerns discussed during these hearing were the act's weaknesses with respect to

- the approach to accountability (e.g., the system is seen as too narrow in its focus)
- sharing responsibility for school success across the community
- creating conditions whereby schools are abandoned by some students and eventually by the community
- creating pressures that have too many negative effects for too many students
- increasing expectations without increasing resources and without sufficient attention to equity and strategies in addressing the problems of low performing schools

- getting information out to help families make informed choices for their children
- implementing provisions for parent and community involvement
- enhancing capacity to implement provisions of the law
- enhancing teachers ability to engage students in learning and address individual differences and diversity that have relevance for learning and teaching – especially in low performing schools

PEN stresses that "In testimony and in the survey, we did hear positive things about NCLB, primarily with respect to its goals. But for the law to succeed in reaching these goals, some drastic adjustments to the law and its implementation are necessary." The recommendations formulated by PEN reflect the widespread emphasis on improving the approach to *accountability* and enhancing *academic supports* for students. They add specifics to the concern about the section on *highly qualified teachers* by calling for (1) incentives to attract and retain high-performing teachers in low performing schools (e.g., professional compensation, tax credits, assistance with home purchases, and loan forgiveness) and (2) including in pre- and in-service teacher education course work on parent and community involvement, cultural competency, and using data to improve instruction.

With respect to *parent involvement*, the recommendations are for "existing parent involvement provisions to be implemented, specifically the 'parents' right to know' provisions at state, district, and school levels such as parent compact, parent policies, and parental notifications." They also call for orientation and training "so that parents can participate in more meaningful ways" and training for school and district officials "so they can more effectively engage parents." And, they suggest a complaint procedure mechanism be added "for parents who contend that their school district is not complying with the law's requirements."

It is with respect to *community involvement* that the PEN recommendations come closest to concerns about weaknesses in the law with respect to addressing other major barriers to learning and teaching. Here is how they formulate the problem:

schools need better nonacademic supports

> "When a school is identified as needing improvement, there should be resources directed to that school and a mandated set of strategies and interventions, not just punitive sanctions, to improve the school and to address issues such as the lack of information, the lack of capacity, the lack of parent and community involvement, the need for better academic and nonacademic supports, the inadequacies of the current SES system, and the virtual abandonment of designated schools."

However, rather than focusing on improving what schools already are doing related to providing student/learning supports (including working with community resources), PEN's emphasis is mainly on connecting "helping" institutions (e.g., community agencies) to the school. Here's their view:

> "The public says that schools need full community support and collaboration in order for students to be successful. Schools cannot do their job alone. Yet many schools are completely isolated from "helping" institutions in their communities. If we can reduce this isolation, we can expand supports for students and families, and expand accountability for student success across the community. Closer connections among schools and community agencies, such as those found in community schools, are critical. These helping institutions also need to increase their capacity to address the needs of students and their families, who are, in many cases, the same constituents these agencies were created to serve.
>
> Coordination among agencies, perhaps through required interagency cooperative agreements starting at the federal level, would bring health and social service agencies into alignment with student needs, with the school serving as a community anchor to improve service provision to students and families. Community-based organizations, such as local education funds, are uniquely positioned to broker and facilitate relationships among community agencies, and engage the public to develop a strategic plan addressing the needs of students, families, schools, and the community.
>
> This approach can be used as a prevention strategy as well as a remedy for low-performing schools. This is an appropriate intervention not only for schools showing early signs of needing assistance, but for schools that are high performers as well. Research shows that in community school settings, where schools and community agencies and organizations work in partnership to remove barriers to learning and to mobilize community assets to support student success, academic performance and other important measures improve. Community schools typically include health, mental health, and social services; mentoring, a safe environment for tutoring and after-school enrichment opportunities connected to the school day curriculum; service learning and parent and community involvement in schools. To encourage adaptation of this strategy, financial incentives and technical assistance should be offered. The community should help determine what services will be provided and ensure that ongoing evaluation of the programs is conducted."

As formulated by PEN, the emphasis on addressing nonacademic barriers to learning and teaching is mainly on linking community "services" to schools. This limited approach has dominated the field for some time (Blank, Melaville, & Shah, 2003; Foster, Rollefson, Doksum, Noonan, & Robinson, 2005; Kutash, Duchnowski, & Lynn, 2006). Unfortunately, it does not account for a host of lessons learned in recent years about the downside of prematurely trying to connect community agencies with school supports (e.g., see Taylor & Adelman, 2000, 2003). Premature efforts to co-locate community services on school campuses frequently have worsened existing fragmentation and redundancy ("parallel play") in providing supports, increased counter-productive competition for resources, and further marginalizing learning supports. And, over time, this approach risks actually reducing the total amount of resources available to address school learning, behavior, and emotional problems.

School and community connections indeed are essential. And, they certainly should be a major agenda item in discussing school improvement, especially improvements designed to address barriers to learning and teaching. The focus, however, must be on collaboration to pursue a broad-based, shared agenda for strengthening students, families, schools, and communities. A core goal is to ensure that *all* students have an equal opportunity to succeed at school. This involves much more than an emphasis on services and connecting with community agencies. It requires developing a system of learning supports for the many, not just a set of services for the few. Toward this end, schools must rethink the many things they already do to provide student and learning supports and then strategically outreach to connect and braid with community resources to fill significant gaps.

> Thus, in the reauthorization process, before exploring how to better connect community services to schools, Congress should focus on how to guide schools to revamp, reorganize, and redeploy resources currently used in providing student and learning supports.

a primary concern should be how to guide schools to revamp, reorganize, and redeploy the resources they currently use to provide student and learning supports

Currently, schools (and community agencies) tend to address problems by labeling and approaching them as separate entities. There are initiatives for learning, behavior, and emotional problems, substance abuse, school violence (especially bullying), dropouts, delinquency, suicide, and so forth. The reality, however, is that many students have multiple concerns. Moreover, special initiatives, paired with specialist training, have resulted in an overemphasis on specialized roles and functions and "ownership" of specific forms of intervention. Clearly, different groups of pupil service personnel (e.g., counselors, psychologists, social workers, nurses) are trained to provide specialized assistance when such help is essential. At the same time, the overemphasis on specialized roles and functions has consumed the time and energy of everyone at the expense of expanded participation of such talented professionals in the type of improvements that can address a wide range of problems.

Effectiveness and cost-efficacy are undercut by ignoring all this.

In reaction to the fragmented activity and the counter-productive competition for resources within schools and with community agencies when they come to schools, the call has been for better coordination and integration of services. However, the complexity and overlapping nature of problems experienced by students and schools require much more than this. Such problems require major systemic changes leading to the development of a comprehensive, multifaceted, and cohesive learning supports component at every school.

In sum, the field has learned a great deal in terms of both policy and practice as the result of experiences with school-linked services, school-based health centers, full service schools, and other efforts that have included connecting community services to schools. Our Center has underscored the limitations of such approaches and has clarified new directions for school-community connections (e.g., Adelman & Taylor, 1997, 1998, 2000, 2006a, 2006b; Center for Mental Health in Schools, 2005a, b, c, d, 2006b). Based on what has been learned, a recent RFA from the U.S. Department of Education (2006) has called for systemically connecting schools and communities in ways that move schools

need to move toward ensuring an equal opportunity for the many to succeed at school

- away from serving a relatively few students and moving toward ensuring an equal opportunity to succeed for the many;

- away from pursing fragmented practices by moving toward integrated approaches and articulated standards that are reflected in an expanded approach to school accountability;

- away from overrelying on narrowly focused, discrete, problem specific, and specialist-oriented services by moving toward comprehensive, multifaceted, cohesive systems approaches.

So, while we understand and appreciate why PEN has framed the matter in terms of connecting community services to schools, we suggest a prior responsibility for Congress in reauthorizing the *Elementary and Secondary Education Act* is to ensure schools improve the way they use their own resources for providing student and learning supports.

Then, as steps are taken to enhance school and community connections, the responsibility is to base the work on a broad understanding of how schools and communities can collaborate to

- *comprehensively and systemically frame the full nature and scope of necessary interventions* – using a unifying umbrella concept for policy and practice that appropriately and effectively bridges school and community (in ways that enhance and connect systems for promoting healthy development, preventing problems, responding early after problem onset, treating severe/pervasive/ chronic problems)

- *pursue policy shifts that transform and move student support from the margins into the mainstream of school improvement*
- *rethink systemic infrastructure to facilitate and ensure systems of intervention are enhanced and connected appropriately and effectively* (Note: few districts have an integrated infrastructure at a school and throughout the feeder pattern of schools for developing a comprehensive system of student/learning supports and fully integrating such a system into school improvement planning and decision making)
- *account for the underlying reasons that interfere with substantive collaborations between school-employed student support personnel and community professionals who want to work in and with schools*
- *develop strategic plans for systemic changes to enable replicability, sustainability, and scale-up with appropriate fidelity and effectiveness*
- *fully integrate new initiatives into school improvement planning and decision making*.

transform and move student support from the margins into the mainstream of school improvement

Furthermore, the work needs to include an emphasis on leveraging how allocated resources are deployed and braided to address barriers to learning and teaching and should capitalize on changes resulting from the recent reauthorization of the Individuals with Disabilities Education Act (IDEA). A few major examples of opportunities to braid resources for building collaboration include (a) reworking how general funds are allocated for student support, (b) redeploying federal funds related to Title I (including the provision for "coordinating services" which can be combined with a similar provision in IDEA), and (c) capitalizing on IDEA's new provisions for "early intervening"and "Response to Intervention" as a prevention strategy. Other examples of opportunities (where they apply) include building on collaborative efforts already underway because of specially funded initiatives and projects, such as the federally supported *Safe Schools/Healthy Students* initiative and the *Integration of Schools and Mental Health Systems* projects.

Finally, all of the above matters should be reflected in the expanded policy, infrastructure, and accountability frameworks that emerge as efforts are made to establish collaborative and sustainable partnerships between schools and community resources.

Clearly, there is a great deal to be considered if schools are to enhance how they address barriers to learning and teaching and how they work with all stakeholders in the community with respect to overlapping concerns.

Proposals Indirectly and Directly Relevant to Addressing Barriers to Learning and Teaching

Embedded in many of the general reauthorization proposals are recommendations that have implications for concerns about barriers to learning.[4] Examples include fully funding NCLB programs, such as Title I and after-school programs and redressing problems stemming from how the Act has been implemented. In contrast to these are proposals whose aim is to broaden the reauthorization discussion to include addressing nonacademic barriers.

Our focus here is on briefly highlighting (1) concerns about countering the negative impact of the law as implemented and (2) direct proposals for addressing nonacademic barriers.

Concerns About the Negative Impact of the Act's Implementation

Statements of concerns based on an examination of the law's implementation are seen in documents from diverse organizations, including the National Conference of State Legislatures, the National Council of Churches, the Harvard Civil Rights Project, and FairTest: National Center for Fair & Open Testing.

A particularly far ranging example is the statement from the National Council of Churches. The Council's Committee on Public Education and Literacy generated a list of ten concerns stressing that the Act

- will discredit public education as it becomes clear that schools cannot possibly realize the ideal that every single student will be proficient in reading and math by 2014, and this will undermine support for public schooling which, in turn, will threaten our democracy
- neither acknowledges where children start the school year nor celebrates their individual accomplishments (The law does not acknowledge that every child is unique and that thresholds are merely benchmarks. Too many children continue to be labeled failures even though they are making strides.)
- ranks schools according to test score thresholds of children in every demographic subgroup, and so a "failing group of children" will know when they are the ones who made their school a "failing" school; thus, they risk being shamed among their peers, by their teachers and by their community (The No Child Left Behind Act has renamed this group of children the school's "problem group." In some schools educators have felt pressured to counsel students who lag far behind into alternative programs so they won't be tested. This has increased the dropout rate.)

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[4]Note this is also the case with respect to bills already introduced to improve the NCLB Act, such as (1) No Child Left Behind Improvement and Flexibility Act (H.R. 4216) Sponsor: Rep. Wu, (2) No Child Left Behind Reform Act (H.R. 1506/S. 724) Sponsors: Rep. DeLauro/Sen. Dodd, (3) No Child Left Behind Improvement Act (H.R. 2569) Sponsor: Rep. Andrews, (4) No Child Left Behind Improvements Act (H.R. 5709) Sponsor: Rep. Young, (5) No Child Left Behind Improvement Act (S. 1055) Sponsor: Sen. Kennedy, (6) No Child Left Behind Flexibility and Improvements Act (S. 1690) Sponsor: Sen. Collins.

- requires children in special education to pass tests designed for children without disabilities
- requires English language learners to take tests in English before they learn English. It calls their school a failure because they have not yet mastered academic English
- blames schools and teachers for many challenges that are neither of their making nor within their capacity to change (The test score focus obscures the importance of the quality of the relationship between the child and teacher. Sincere, often heroic efforts of teachers are made invisible.)
- relentlessly focuses on testing basic skills which obscures the role of the humanities, the arts, and child and adolescent development
- operates through sanctions and, as a result, takes federal Title I funding away from educational programing in already over stressed schools and uses these funds to bus students to other schools or to pay for private tutoring firms
- exacerbates racial and economic segregation in metropolitan areas by rating homogeneous, wealthier school districts as excellent, while labeling urban districts with far more subgroups and more complex demands made by the law as "in need of improvement" (Such labeling of schools and districts encourages families with means to move to wealthy, homogeneous school districts.)
- makes demands on states and school districts without fully funding reforms that would build capacity to close achievement gaps.

it is more than ironic that the law itself has contributed to barriers to learning and teaching

As Congressional hearings for the reauthorization approach, such statements will increase, and groups already are coalescing to ensure they are on the agenda for discussion. For example, about 90 organizations have signed a joint organizational statement to focus attention on concerns about: "over-emphasizing standardized testing, narrowing curriculum and instruction to focus on test preparation rather than richer academic learning; over-identifying schools in need of improvement; using sanctions that do not help improve schools; inappropriately excluding low-scoring children in order to boost test results; and inadequate funding." Moreover, this particular statement includes recommendations for addressing the matters (see Exhibit 4).

It is more than ironic that many of the above concerns are barriers to learning and teaching that are attributed to a law whose stated intent is to leave no child behind. Fortunately, some of these matters have been and will continue to be on the agenda during the reauthorization process. However, again, it seems clear that the emphasis remains on what the law already covers. Therefore, these deliberations are unlikely to advance a discussion of the need to include new sections in the Act to promote development of a system of learning supports.

Exhibit 4

Joint Organizational Statement on No Child Left Behind (NCLB) Act*

The undersigned ... organizations are committed to the No Child Left Behind Act's objectives of strong academic achievement for all children and closing the achievement gap. We believe that the federal government has a critical role to play in attaining these goals. We endorse the use of an accountability system that helps ensure all children, including children of color, from low-income families, with disabilities, and of limited English proficiency, are prepared to be successful, participating members of our democracy.

While we all have different positions on various aspects of the law, ... we believe the following significant, constructive corrections are among those necessary to make the Act fair and effective. ... Overall, the law's emphasis needs to shift from applying sanctions for failing to raise test scores to holding states and localities accountable for making the systemic changes that improve student achievement.

Progress Measurement

1. Replace the law's arbitrary proficiency targets with ambitious achievement targets based on rates of success actually achieved by the most effective public schools.

2. Allow states to measure progress by using students' growth in achievement as well as their performance in relation to pre-determined levels of academic proficiency.

3. Ensure that states and school districts regularly report to the government and the public their progress in implementing systemic changes to enhance educator, family, and community capacity to improve student learning.

4. Provide a comprehensive picture of students' and schools' performance by moving from an overwhelming reliance on standardized tests to using multiple indicators of student achievement in addition to these tests.

5. Fund research and development of more effective accountability systems that better meet the goal of high academic achievement for all children

Assessments

6. Help states develop assessment systems that include district and school-based measures in order to provide better, more timely information about student learning.

7. Strengthen enforcement of NCLB provisions requiring that assessments must:
   - Be aligned with state content and achievement standards;
   - Be used for purposes for which they are valid and reliable;
   - Be consistent with nationally recognized professional and technical standards;
   - Be of adequate technical quality for each purpose required under the Act;
   - Provide multiple, up-to-date measures of student performance including measures that assess higher order thinking skills and understanding; and
   - Provide useful diagnostic information to improve teaching and learning.

8. Decrease the testing burden on states, schools and districts by allowing states to assess students annually in selected grades in elementary, middle schools, and high schools.

Building Capacity

9. Ensure changes in teacher and administrator preparation and continuing professional development that research evidence and experience indicate improve educational quality and student achievement.

10. Enhance state and local capacity to effectively implement the comprehensive changes required to increase the knowledge and skills of administrators, teachers, families, and communities to support high student achievement.

Sanctions

11. Ensure that improvement plans are allowed sufficient time to take hold before applying sanctions; sanctions should not be applied if they undermine existing effective reform efforts.

12. Replace sanctions that do not have a consistent record of success with interventions that enable schools to make changes that result in improved student achievement.

Funding

13. Raise authorized levels of NCLB funding to cover a substantial percentage of the costs that states and districts will incur to carry out these recommendations, and fully fund the law at those levels without reducing expenditures for other education programs.

14. Fully fund Title I to ensure that 100 percent of eligible children are served.

*As of October 25, 2006, the statement was signed by 88 education, civil rights, children's, disability, and citizens' organizations – the statement is on the website of the various signees (e.g., see list of signees at http://www.fairtest.org/joint%20statement%20civil%20rights%20grps%2010-21-04.html

Proposals Focused on Nonacademic Barriers to Learning and Teaching

As Congressional hearings for the reauthorization approach, the number of specific proposals will increase. With respect to those directly focused on addressing nonacademic barriers to learning, three different types are in play. One type advocates for school personnel who provide student supports; another type recommends programs to address specific problems. In contrast to these, our Center has suggested advocating for inclusion of new sections in the law that will promote the development of a comprehensive system of learning supports at every school.

Advocacy for Support Staff

An example of the first type is seen in a document prepared by the National Association of Pupil Services Organizations (NAPSO).[5] By way of preamble, the association notes that

> "Pupil services personnel provide services that address barriers to learning and assist students to be successful in school. These vital services are focused on prevention and intervention activities that promote effective classroom teaching and learning. Pupil services personnel work collaboratively with teachers, administrators, and other school staff to ensure that students receive high quality instruction that is responsive to the diverse array of students' learning and developmental needs and challenges."

Therefore, as the reauthorization process moves forward, (NAPSO) is asking Congress to do the following:

I. Clarify conflicting terminology, definitions, and roles of pupil/related services personnel.

NAPSO urges Congress to adopt one single term – "specialized instructional support personnel," – that will be used in all education laws .... Services provided by these personnel ... should conform and be titled "specialized instructional support" [and it should be made] *explicit in the ESEA definition that the list of services is not exhaustive.*

II. Establish an Office of Specialized Instructional Support within the U.S. Department of Education.

NAPSO urges Congress, under the ESEA, to direct the Secretary of Education to establish an Office of Specialized Instructional Support and to appoint a director and appropriate staff.

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[5]The term *pupil services* is defined in the Elementary and Secondary Education Act (currently designated as the No Child Left Behind Act). Sec. 9101, paragraph 36 refers to "school counselors, school social workers, school psychologists, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services." Also mentioned in ESEA are *related services* as defined in the Individuals with Disabilities Education Act (Sec. 602, paragraph 22).

III. View and include pupil services personnel under the ESEA as essential members of the school staff.

> *NAPSO urges Congress to acknowledge appropriately throughout the ESEA that pupil services personnel are the critical link to school success for many students.*
>
> *NAPSO urges Congress to include pupil services personnel in all high-quality professional development opportunities under the statute.*
>
> *NAPSO urges Congress to fully integrate pupil services into the educational system.*

The NAPSO document concludes by stressing:

> "There are numerous other instances in ESEA where pupil services personnel should be included along with the other school personnel. NAPSO will work with Congress to determine where inclusion of these important personnel would be appropriate and would most assist in improving student achievement."

Coming at the matter from the specific perspective of students with disabilities, the Consortium for Citizens with Disabilities Education Task Force has formulated a set of "Principles for the reauthorization of NCLB" that complement and expand on NAPSO's concerns and proposals. This also is an area of focus in the National Association of Secondary School Principals (NASSP) recommendations.

Advocacy for a Specific Type of Program

An example of a proposal for a program to address a specific problem is seen in the work of the Fight Crime Organization. For several years, the group has been pursuing legislation to allow schools to use Safe and Drug-Free Schools and Communities Act funds to support bullying and harassment prevention programs. They now propose to move this proposal forward through the reauthorization of the No Child Left Behind Act.

Others are arguing in general ways for greater attention in the law on how schools address health, mental health, and psychosocial concerns (e.g., Daly, Burke, Hare, Mills, & Weist, 2006; Health Education Advocate, 2006).

Proposal to Promote Development of a Comprehensive System of Learning Supports

As the growing national initiative for *New Directions for Student Support* has underscored, failure to develop a comprehensive system of learning supports is contributing to the perpetuation of achievement gaps and dropout rates and is playing a major role in the plateauing of short term achievement gains. In advocating for a greater and more direct focus on addressing barriers to learning and teaching, our Center has pursued an approach that emphasizes developing such a system at every school.

This work has led to pioneering efforts in several states and localities. For example, see: Hawai`i's legislation for developing a *Comprehensive Student Support System* (CSSS) in every school; the legislation proposed this past year in California for a *Comprehensive Pupil Learning Supports System*; the Iowa Department of Education's design for schools to develop a *System of Learning Supports.* (See the reference list for information on accessing each of these online.)

Based on these trailblazing efforts, the Center prepared an analysis and set of recommendations for discussion in the reauthorization hearings.[6] The work delineates systemic ways to enhance school effectiveness in addressing factors interfering with so many students' efforts to succeed. (In the current law, such barriers are referred to as "major factors that have significantly affected the academic achievement of students.")

The proposed additions to the Elementary and Secondary Education Act are reproduced in Appendix A of this report. The immediate objective is to add sections that provide nonregulatory guidance to schools for strategically addressing barriers to learning and teaching and for ending the tendency to generate learning supports in an ad hoc, piecemeal and fragmented manner. The longer-term aim is to create a comprehensive and cohesive system of learning supports in all schools based on defined standards and with specific accountability indicators. The development of such a system is to be fully integrated as an essential component of school improvement. Such a component is designated as an *Enabling* or *Learning Supports Component.* For the school and community as a whole, the intent is to produce a safe, healthy, nurturing environment characterized by respect for differences, trust, caring, and support.

an Enabling *or* Learning Supports Component *prevents and minimizes the impact of as many problems as feasible and does so in ways designed to (re)engage students in productive classroom learning*

Initially, the work is to be accomplished through *reframing and redeploying* existing personnel and programmatic resources and through enhanced connections with community resources. Thus, additional appropriations should be minimal.

Note: Appendix B provides a brief overview of the frameworks that have guided the Center's analyses of what's missing in the reauthorization discussions and what needs to be added to the law.

[6] See: *For Consideration in Reauthorizing the No Child Left Behind Act . . . Promoting a Systematic Focus on Learning Supports to Address Barriers to Learning and Teaching.*

AND DON'T FORGET ABOUT OTHER LEGISLATION

It should be noted that the relationship of ESEA to other federal legislation also needs to be an agenda item in the reauthorization discussion. For example, the National Education Association stresses the need for "Adequately funding important children's and education programs outside of ESEA, including child nutrition, Head Start, IDEA, children's health, child care, and related programs."

And, there are many bills that have been introduced in Congress which may have sections that are relevant to concerns about addressing barriers to learning and teaching. For example, the National Association of Secondary School Principals (NASSP) draws our attention to the following and, in doing so, stresses that "it is unlikely that any of these bills will be acted on before Congress adjourns for the year." Thus, the association is encouraging legislators to reintroduce the following bills during the 110th Congress:

- Comprehensive Learning Assessment for Students and Schools (CLASS) Act (H.R. 224) Sponsor: Rep. Strickland
- Keep Our Promise to America's Children and Teachers Act (H.R. 363) Sponsor: Rep. Van Hollen
- Professional Educators Tax Relief Act (H.R. 405) Sponsor: Rep. Paul
- Respecting Our Leaders in Education (ROLE) Model Act (H.R. 529) Sponsor: Rep. Butterfield
- Graduation for All Act (H.R. 547) Sponsor: Rep. Hinojosa
- State and Local Education Flexibility Act (H.R. 1177) Sponsor: Rep. Terry
- Quality Education for All Act (H.R. 1681/S. 15) Sponsors: Rep. G.K. Butterfield (D-NC) / Sen. Bingaman
- Keeping Our Promises to America's Children Act (H.R. 2694) Sponsor: Rep. Moore
- Educational Reform Act (S. 848) Sponsor: Sen. Bingaman
- Pathways for All Students to Succeed Act (S. 921/S. 1061) Sponsor: Sen. Murray

Implications of the Analysis

As passed in 2001, the No Child Left Behind Act (NCLB) tends to marginalize the essential role of student/learning supports in enabling all students to have an equal opportunity to succeed at school. All our analyses indicate a virtual absence of substantive focus directly on the need for schools to develop a comprehensive, multifaceted, and integrated system of learning supports for addressing barriers to learning and teaching. The reasons for this state of affairs are threefold:

(1) *Prevailing leadership for the improvement of public education continues to ignore and/or marginalize the necessity of developing a more potent approach to prevent and correct common and widespread learning, behavior, and emotional problems.*

As the testimony to the Aspen Commission and PEN and as the various recommendations for improving the NCLB Act clearly demonstrate, none of the most prominent and powerful voices talk about the role of schools in developing a comprehensive, multifaceted, and integrated system of learning supports to address barriers to learning. The closest the major recommendations come to showing serious concern for enhancing the school's role in reducing nonacademic barriers to learning is found in the PEN report. However, the emphasis there is on enhancing interagency coordination to "bring health and social services into alignment with student needs." As noted above, the need is much greater than providing a relatively small segment of students with better access to agency services. The primary focus must be on a fundamental reorganization and rethinking of the resources schools already devote to learning/student supports. The failure of the prevailing voices to deal with these matters both underscores and contributes to the ongoing marginalization of learning supports in school policy and practice.

(2) *Associations and other advocates for student support programs and services have not been well-represented at the table. Moreover, the few proposals coming from such advocates tend to focus on narrowly conceived agenda rather than the need for transforming how schools address barriers to learning and teaching.*

This not only perpetuates the marginalization of learning supports, it is likely to increase fragmentation and counter-productive competition for resources.

(3) *The growing network of leaders working on transforming how schools address barriers to learning and teaching have not been invited to provide testimony.*

And, there is no indication that the input they have submitted is seriously considered.

The problem of what is and isn't on the agenda reminds us of some cautionary words offered by Jean-Martin Charcot in1857. He urged care in how we approach important matters because

> *in the last analysis, we see only what we are ready to see. We eliminate and ignore everything that is not part of our prejudices.*

For many of us, it is evident that most learning, behavior, and emotional problems seen in schools are rooted in failure to address external barriers and learner differences in a comprehensive manner. And, the problems of all are exacerbated as youngsters internalize the frustrations of confronting barriers and experience the debilitating effects of performing poorly at school. All this contributes to the achievement gap and dropout rates.

failure to address barriers in a comprehensive way exacerbates problems and contributes to the achievement gap and dropout rates

Despite widespread recognition of these matters, for the reasons noted, there is a dearth of attention in the reauthorization process on the need to transform systems for addressing barriers to learning and teaching at school and classroom levels. As a result, unless the matter is added as a major agenda item, we predict that the reauthorization is unlikely to come to grips with the fundamental question plaguing too many schools, namely:

> What's still missing *in the classroom and school-wide* that is essential in enabling an equal opportunity for every student to succeed at school?

This question encompasses such critical matters as how to prevent common learning, behavior, and emotional problems, how to intervene as soon as such problems become evident, and how to re-engage the many students who have become actively disengaged from classroom instruction.

Given all this, we suggest that a central public policy question that must be addressed during the reauthorization is:

> *How can schools better address the major factors interfering with the success of so many students?*

Such a discussion begins with an appreciation that improving instruction is essential, but not anywhere near sufficient for leaving no child behind. We turn to that matter now.

Appreciating that ESEA Needs to Do More in Addressing Barriers to Learning and Teaching

Effective instruction is, of course, fundamental to a school's mission. None of us want to send our children to a school where teachers do not have high standards, expectations, and competence.

At the same time, the reality is that many factors can interfere with learning and teaching. Teachers in low performing schools point to how few students appear motivationally ready and able to learn what the daily lesson plan prescribes. Teachers in the upper grades report that a significant percentage of their students have become actively disengaged and alienated from classroom learning. And, "acting out" behavior, especially bullying and disrespect for others, is rampant. (So is passivity, but "hypoactivity" attracts less attention.) One result of all this is seen in the increasing number of students misdiagnosed as having learning disabilities (LD) and attention deficit-hyperactivity disorders (ADHD). Another result is the number of dropouts (students and teachers) – often referred to as "pushouts."

Teachers need and want considerable help in addressing barriers to student and school success. Unfortunately, the sparse help they currently receive is grossly inadequate.

Part of the problem is that most guidelines for school improvement give meager attention to matters other than the instructional component of schooling. Such guides *do* recognize that "acting out" students are disruptive of teaching and may harm others. And, thus, some planning focuses on improving classroom management and enhancing school safety. Sometimes this includes classroom instructional initiatives intended to enhance students' respect for school staff, parents, and each other (e.g., "character education," social and emotional learning) and development of assets.

But, the overall approach to school improvement conveys the impression that better academic instruction is sufficient for increasing a school's test score averages, closing the achievement gap, and reducing the number of students leaving school before graduation. Anything not directly instruction-centered runs a distant second in planning.

The reality in too many classrooms, however, is that improved instruction is not sufficient. In daily practice, schools continue to be plagued by student disengagement, behavior problems, and dropouts. Thus, to the degree feasible, schools make efforts to provide some "supports." But, the marginalized policy status of student and learning supports leads to reactive, ad hoc, piecemeal, and fragmented practices that often reach only a small percentage of students in need. This reality is seen in the growing concerns about student disengagement, disrespect, misconduct, and the latest cycle of distress over dropouts.

A fair interpretation of the phrase "No Child Left Behind" is that all students will have an equal opportunity to succeed at school. However, unless school improvement efforts ensure there is a potent *system* of learning supports to enable that success, many will continue to be left

behind. With this in mind, analyses of the *No Child Left Behind Act* and the related Non-regulatory Guidance document from the U.S. Department of Education entitled, *Designing Schoolwide Programs* (March 2006) indicates a clear need for the reauthorization to enhance the way it addresses learning supports.

With this in mind, it should be noted that:

(a) Pioneering initiatives across the country have adopted the concept of *Learning Supports* as a unifying concept to encompass the many resources, strategies, and practices used to address barriers to learning and teaching. A learning support system not only provides a unifying concept, it provides a context for linking with other organizations and agencies as needed and can be a focal point for braiding school and community resources into a comprehensive, multifaceted, and cohesive component at every school.

(b) While learning supports can benefit all students, they are especially essential in schools where significant numbers of students are not doing well, are absent frequently, and too many are dropping out (as are too many teachers). Other indicators of need are seen in growing rates of bullying and other forms of violence at school, sporadic parental involvement, continuing concern about substance abuse, etc.

(c) To improve learning supports as a key element in school improvement, there needs to be a greater emphasis in every school on the development of a comprehensive learning supports *system*

(d) A comprehensive learning supports system is designed to address barriers to learning and teaching in ways that enhance the physical, social, emotional, and intellectual support and ongoing development needed to enable effective classroom learning. Particular attention is given to strategies that result in enhanced engagement in classroom instruction.

(e) Such a system consists of a multifaceted and integrated interventions (programs and services) that, as a cohesive *Learning Supports Component*, can meet the needs of traditional and nontraditional learners. It includes school-based and school-linked resources designed to enable teachers to teach and pupils to learn. It encompasses a *continuum of interventions* that promote learning and development, prevent and respond early after the onset of problems, and provide correctional, and remedial programs and services. And, it organizes learning supports into a discrete set of *content arenas.*

(f) In the aggregate, a comprehensive learning support system creates a supportive, caring, respectful, and safe learning environment that promotes the success and well-being not only of students but of their families and school staff. Overall, such a system contributes significantly to a school's goals of helping students become good parents, good neighbors, good workers, and good citizens of the world.

(g) The Learning Supports Component is meant to be fully integrated with the instruction component in the classroom and schoolwide.

(h) To develop into a comprehensive learning supports system, *schools must outreach in a strategic manner to build connections with other schools,* particularly those that constitute a feeder pattern. This can reduce inappropriate redundancies and enhance economies of scale.

(i) To develop into a comprehensive learning supports system, *schools also must outreach in a strategic manner to build connections with community resources.* Such connections include braiding resources where school and community have overlapping functions, filling gaps in school resources, and enhancing access to services needed that are beyond the purview of the school. This trend builds on the growing consensus among researchers, policymakers, and practitioners that stronger collaborative efforts by schools, families, and communities are essential to student success.

(j) To be effective, a school's Learning Supports Component must take what works, improve on other practices, and create new avenues to address barriers to learning and teaching.

Concluding Comment

The mission of schools, while complex, is clearly to educate the young. At the same time, it is evident that they can only do this if they work with the community as a whole (e.g., families, agencies, businesses) to address matters that interfere with students having an equal opportunity to succeed at school. As the Carnegie Task Force on Education (1989) has stated so well:

> *School systems are not responsible for meeting every need of their students. But when the need directly affects learning, the school must meet the challenge.*

If schools are to ensure that students succeed, school improvement designs must reflect the full implications of the word *all.* Clearly, *all* includes more than students who are motivationally ready and able to profit from demands and expectations for "high standards." Leaving no child behind means addressing the problems of the many who aren't benefitting from instructional improvements because of a host of *external* and *internal* barriers interfering with their development and learning.

The reauthorization of ESEA provides an opportunity to escape old ways of thinking about student supports, embrace the lessons learned from what has gone before, and contribute to efforts to move schools forward in developing a potent system of learning supports.

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Appendix A

Proposed Additions to the No Child Left Behind Act – Moving Schools Forward in Developing a Comprehensive System of Learning Supports

It is proposed that the following additions be made to Title I.

Note: For the most part, only sections affected are included below; the proposed added text is underlined.

SEC. 1001. Statement of Purpose

New (6) enabling all students to have an equal opportunity to succeed at school through promoting development of a comprehensive, multifaceted, and cohesive system of learning supports at schools;

(~~7~~ 8) providing greater decisionmaking authority and flexibility to schools, teachers, and learning supports staff in exchange for greater responsibility for student performance;

(~~9~~ 10) promoting schoolwide reform and ensuring the access of children to effective, scientifically based instructional strategies, ~~and~~ challenging academic content, and learning supports;

(~~10~~ 11) significantly elevating the quality of instruction and learning supports by providing staff in participating schools with substantial opportunities for professional development;

(~~11~~ 12) coordinating and integrating programs and services under all parts of this title with each other, with other educational services, and, to the extent feasible, with other agencies ~~providing services to~~ serving youth, children, and families;

Part A – Improving Basic Programs Operated By Local Educational Agencies

Subpart 1 – Basic Program Requirements

SEC. 1111 STATE PLANS

(b) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, LEARNING SUPPORTS, AND ACCOUNTABILITY

(9) FACTORS AFFECTING STUDENT ACHIEVEMENT – Each State plan shall include an assurance that the State educational agency will

(A) promote development of a standards-based comprehensive, multifaceted, and cohesive system of learning supports at schools through

(i) developing a nonregulatory guidance document for the establishment of a school Learning Supports Component;
(ii) providing ongoing technical assistance, leadership training, and other capacity building supports;

(iii) developing aids for districts and schools to rethink the roles of pupil services personnel and other student support staff;

(iv) developing aids for reframing infrastructure *mechanisms* at school and district levels and with public and private community resources to appropriately pursue development of a comprehensive learning support system. Such aids will clarify effective mechanisms for

(I) assisting individuals and families with family decision-making and timely, coordinated, and monitored referrals to school and community services when indicated;

(II) an administrative leader, student support staff, and other stakeholders to work collaboratively at each school with a focus on resources inorder to minimize duplication and fragmentation of learning supports and strengthen the Learning Supports Component;

(III) responding to, minimizing the psychosocial impact of, and, if feasible, preventing crises;

(IV) capacity building and regular support for all stakeholders involved in addressing barriers to learning and promoting healthy development;

(V) ensuring evaluation and accountability for a school's Learning Supports Component;

(VI) minimizing duplication and fragmentation of learning supports when working with other schools and agencies.

(v) ensuring that Learning Supports are integrated within the organization of the State education agency in a manner that reflects the organization at school and district levels;

(vi) including an assessment of learning supports systems in all school review guidance documents and accountability reports. Such an assessment should focus on specific and directly relevant indicators of the impact of a school's Learning Supports Component, such as

(I) increases in student attendance;
(II) increases in academic performance;
(III) increase in family involvement with student and school;
(IV) reductions in tardies;
(V) reductions in misbehavior;
(VI) reductions in bullying and sexual harrassment;
(VII) fewer inappropriate referrals for specialized assistance and special education;
(VIII) fewer student pregnancies;
(IX) fewer suspensions and dropouts.

(B) coordinate and collaborate, to the extent feasible and necessary as determined by the State education agency, with agencies ~~providing services to~~ serving children, youth, and families within the State that are identified under section 1116 and that request assistance with addressing major factors that have significantly affected the academic achievement of students in the local education agency or schools served by such agency.

SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

(a) PLAN PROVISIONS -
(1) IN GENERAL -

(E) a description of how the local educational agency will coordinate and integrate programs and services provided under this part with educational services and learning supports at the local educational agency or individual school level, such as –

(i) Even Start, Head Start, Reading First, Early Reading First, and other preschool programs, including plans for the transition of participants in such programs to local elementary school programs; ~~and~~

(ii) services for children with limited English proficiency, children with disabilities, migratory children, neglected or delinquent youth, Indian children served under part A of title VII, homeless children, and immigrant children in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

(iii) a cohesive Learning Supports Component the *scope* of which covers a school-community continuum of *interconnected intervention systems* for

(I) promoting healthy development and preventing problems;

(II) intervening early to address problems as soon after onset as is feasible;

(III) assisting those with chronic and severe problems.

(iv) a cohesive Learning Supports Component the *content* of which at each system level encompasses

(I) enhancing the capacity of teachers to address learning, behavior, and emotional problems within the context of the classroom, engage and re-engage pupils in classroom learning, and foster social, emotional, intellectual, and behavioral development. This would include an emphasis on inservice education. Examples of interventions include:

(aa) addressing a greater range of pupil problems within the classroom through an increased emphasis on strategies for positive social and emotional development, problem prevention, and accommodation of differences in the motivation and capabilities of pupils;

(bb) classroom management that emphasizes re-engagement of pupils in classroom learning and minimizes over-reliance on social control strategies;

(cc) collaboration with pupil support staff and the home in providing additional assistance to foster enhanced responsibility, problem solving, resilience, and effective engagement in classroom learning;

(dd)use of broadly conceived “Response to Intervention”strategies and “prereferral interventions to minimize unnecessary referrals for special services and special education;

(II) enhancing the capacity of schools to handle transition concerns confronting pupils and their families. The emphasis is on ensuring that systematic interventions are established to provide supports for the many transitions students, their families, and school staff encounter. Examples include:

(aa) welcoming and social support programs for newcomers;

(bb) before, during, and afterschool programs to enrich learning and provide safe recreation;

(cc) articulation programs to support grade transitions;

(dd) addressing transition concerns related to vulnerable populations, including, but not limited to, those in homeless education, migrant education, and special education programs;

(ee) vocational and college counseling and school-to-career programs;

(ff) support in moving to postschool living and work;

(gg) outreach programs to re-engage truants and dropouts in learning;

(III) responding to, minimizing the psychosocial impact of, and preventing crisis. The emphasis is on ensuring that systematic interventions are established for emergency, crisis, and follow-up responses and for preventing crises at a school and throughout a complex of schools. Examples include:

(aa) establishment of a crisis team to ensure immediate response when emergencies arise, and to provide aftermath assistance as necessary and appropriate so that pupils are not unduly delayed in re-engaging in learning;

(bb) schoolwide and school-linked prevention programs to enhance safety at school and to reduce violence, bullying, harassment, abuse, and other threats to safety in order to ensure a supportive and productive learning environment;

(cc) classroom curriculum approaches focused on preventing crisis events, including, but not limited to, violence, suicide, and physical or sexual abuse;

(IV) enhancing home involvement. The emphasis is on ensuring there are systematic interventions and contexts at school that are designed to lead to greater involvement that supports student progress with respect to addressing learning, behavior, and emotional problems. Examples include:

(aa) interventions that address specific needs of the caretakers of a pupil, including, but not limited to, providing ways for them to enhance literacy and job skills and meet their basic obligations to the children in their care;
(bb) interventions for outreaching and re-engaging homes that have disengaged from school involvement;

(cc) improved systems for communication and connection between home and school;

(dd) improved systems for home involvement in decisions and problem solving affecting the student;

(ee) enhanced strategies for engaging the home in supporting the basic learning and development of their children to prevent or at least minimize learning, behavior, and emotional problems;

(V) outreaching to the community in order to build linkages. The emphasize is on ensuring that there are systematic interventions to provide outreach to and engage strategically with public and private community resources to support learning at school of students with learning, behavior, and emotional problems. Examples include:

(aa) training, screening, and maintaining volunteers and mentors to assist school staff in enhancing pupil motivation and capability for school learning;

(bb) job shadowing and service learning programs to enhance the expectations of pupils for postgraduation opportunities;

(cc) enhancing limited school resources through linkages with community resources, including, but not limited to, libraries, recreational facilities, and postsecondary education institutions;

(dd) Enhancing community and school connections to heighten a sense of community;

(VI) providing special assistance for pupils and families as necessary. The emphasis is on ensuring that there are systems and programs established to provide or connect with direct services when necessary to address barriers to the learning of pupils at school.
Examples include:

(aa) special assistance for teachers in addressing the problems of specific individuals;

(bb) processing requests and referrals for special assistance, including, but not limited to, counseling or special education;

(cc) ensuring effective case and resource management when pupils are receiving direct services;

(dd) connecting with community service providers to fill gaps in school services and enhance access for referrals.

(M) a description of the actions the local educational agency will take to implement public school choice and enhance learning supports and supplemental services, consistent with the requirements of section 1116;

SEC. 1116. ACADEMIC ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT.

(b) SCHOOL IMPROVEMENT-

(3) SCHOOL PLAN-

(A) REVISED PLAN-

(iii) provide an assurance that the school will spend not less than 10 percent of the funds made available to the school under section 1113 for each fiscal year that the school is in school improvement status, for the purpose of providing to the school's teachers, learning support staff, and principal high-quality professional development that ——

(ix) enhance learning supports and incorporate, as appropriate, activities before school, after school, during the summer, and during any extension of the school year; and

(4) TECHNICAL ASSISTANCE-

(B) SPECIFIC ASSISTANCE- Such technical assistance ——

(i) shall include assistance in analyzing data from the assessments required under section 1111(b)(3), and other examples of student work, to identify and address problems in instruction, and problems if any, in implementing learning supports and the parental involvement requirements described in section 1118, the professional development requirements described in section 1119, and the responsibilities of the school and local educational agency under the school plan, and to identify and address solutions to such problems;

(ii) shall include assistance in identifying and implementing professional development, instructional strategies, ~~and~~ methods of instruction, and learning supports that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for school improvement;

(5) FAILURE TO MAKE ADEQUATE YEARLY PROGRESS AFTER IDENTIFICATION-

(B) shall enhance learning supports and make supplemental educational services available consistent with subsection (e)(1); and

(C) ROLE OF LOCAL EDUCATIONAL AGENCY-

(iii) continue to enhance learning supports and make supplemental educational services available, in accordance with subsection (e), to children who remain in the school; and

(iv) identify the school for corrective action and take at least one of the following corrective actions:

(II) Institute and fully implement a new curriculum and enhance learning supports, including providing appropriate professional development for all relevant staff, that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving students and enabling the school to make adequate yearly progress.

(8) RESTRUCTURING-

(A) FAILURE TO MAKE ADEQUATE YEARLY PROGRESS—

(ii) continue to enhance learning supports and make supplemental educational services available, in accordance with subsection (e), to children who remain in the school; and

(10) FUNDS FOR TRANSPORTATION AND SUPPLEMENTAL EDUCATIONAL SERVICES-

(A) IN GENERAL—

(ii) an amount equal to 5 percent of its allocation under subpart 2 to enhance learning supports and provide supplemental educational services under subsection (e); and

(iii) an amount equal to the remaining 10 percent of its allocation under subpart 2 for transportation under paragraph (9), enhancing learning supports, and supplemental educational services under subsection (e), or ~~both~~ all three, as the agency determines.

(c) STATE REVIEW AND LOCAL EDUCATIONAL AGENCY IMPROVEMENT—

(7) LOCAL EDUCATIONAL AGENCY REVISIONS-

(A) PLAN—

(i) incorporate scientifically based research strategies that strengthen the core academic and learning supports programs in schools served by the local educational agency;

(iii) address the professional development needs of the instructional and learning supports staff serving the agency by committing to spend not less than 10 percent of the funds received by the local educational agency under subpart 2 for each fiscal year in which the agency is identified for improvement for professional development (including funds reserved for professional development under subsection (b)(3)(A)(iii)), but excluding funds reserved for professional development under section 1119;

(iv) include specific measurable achievement goals and targets and learning supports goals and targets for each of the groups of students identified in the disaggregated data pursuant to section 1111(b)(2)(C)(v), consistent with adequate yearly progress as defined under section 1111(b)(2);

(v) address the fundamental teaching and learning and learning supports needs in the schools of that agency, and the specific academic problems of low—achieving students, including a determination of why the local educational agency's prior plan failed to bring about increased student academic achievement;

(vi) enhance learning supports and incorporate, as appropriate, activities before school, after school, during the summer, and during an extension of the school year;

(viii) include strategies to promote effective parental involvement in the school as cited in Section 1112, (a) (1) (IV).

(9) STATE EDUCATIONAL AGENCY RESPONSIBILITY—

(B) METHODS AND STRATEGIES—Technical assistance provided under this section by the State educational agency or an entity authorized by such agency shall be supported by effective methods and instructional strategies based on scientifically based research. Such technical assistance shall address problems, if any, in implementing the learning supports component described in Section 1112, the parental involvement activities described in section 1118 and the professional development activities described in section 1119.

(10) CORRECTIVE ACTION—

(A) DEFINITION— As used in this paragraph, the term ‘corrective action' means action, consistent with State law, that——

(i) substantially and directly responds to the consistent academic failure that caused the State to take such action and to any underlying staffing, curricular, learning supports, or other problems in the agency; and

(C) CERTAIN CORRECTIVE ACTIONS REQUIRED— In the case of a local educational agency identified for corrective action, the State educational agency shall take at least one of the following corrective actions:

(ii) Instituting and fully implementing a new curriculum and enhancing learning supports ~~that is~~ based on State and local academic content and achievement standards, including providing appropriate professional development based on scientifically based research for all relevant staff, that offers substantial promise of improving educational achievement for low-achieving students.

(e) LEARNING SUPPORTS AND SUPPLEMENTAL EDUCATIONAL SERVICES-

New

(1) LEARNING SUPPORTS – In the case of any school described in paragraph (5), (7), or (8) of subsection (b), the local educational agency serving such school shall, subject to this subsection, arrange for the enhancement of its Learning Supports Component.

(~~1~~2) SUPPLEMENTAL EDUCATIONAL SERVICES—

(f) SCHOOLS AND LEAS PREVIOUSLY IDENTIFIED FOR IMPROVEMENT OR CORRECTIVE ACTION—

(2) LEAS—

(C) SPECIAL RULE— For the schools and other local educational agencies described under paragraphs (1) and (2), as required, the State shall ensure that public school choice in accordance with subparagraphs (b)(1)(E) and (F) and enhanced learning supports and supplemental education services in accordance with subsection (e) are provided not later than the first day of the 2002-2003 school year.

SEC. 1117. SCHOOL SUPPORT AND RECOGNITION.

(a) SYSTEM FOR SUPPORT-

(4) STATEWIDE SYSTEM-

(A) In order to achieve the purpose described in paragraph (1), the statewide system shall include, at a minimum, the following approaches:

(iii) Designating and using distinguished teachers, learning supports staff, and principals who are chosen from schools served under this part that have been especially successful in improving academic achievement and a supportive, caring, respectful, and safe learning environment.

(5) SCHOOL SUPPORT TEAMS-

(A) COMPOSITION- Each school support team established under this section shall be composed of persons knowledgeable about scientifically based research and practice on teaching and learning, learning supports, and about successful schoolwide projects, school reform, and improving educational opportunities for low-achieving students, including ——

(B) FUNCTIONS- Each school support team assigned to a school under this section shall –

(i) review and analyze all facets of the school's operation, including the design and operation of the instructional program and learning supports component, and assist the school in developing recommendations for improving student performance in that school;

(iii) evaluate, at least semiannually, the effectiveness of school personnel assigned to the school, including identifying outstanding teachers, learning supports staff, and principals, and make findings and recommendations to the school, the local educational agency, and, where appropriate, the State educational agency; and

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SEC. 1118. PARENTAL INVOLVEMENT.

(e) BUILDING CAPACITY FOR INVOLVEMENT- To ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, each school and local educational agency assisted under this part ——

(1) shall provide assistance to parents of children served by the school or local educational agency, as appropriate, to

(A) enhance their readiness and ability to enable the school performance of their children as cited in Section 1112, (a) (1) (IV); and

(B) ~~in~~ understand~~ing~~ such topics as the State's academic content standards and State student academic achievement standards, State and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of their children;

(6) may involve parents in the development of training for teachers, learning supports staff, principals, and other educators to improve the effectiveness of such training;

Appendix B

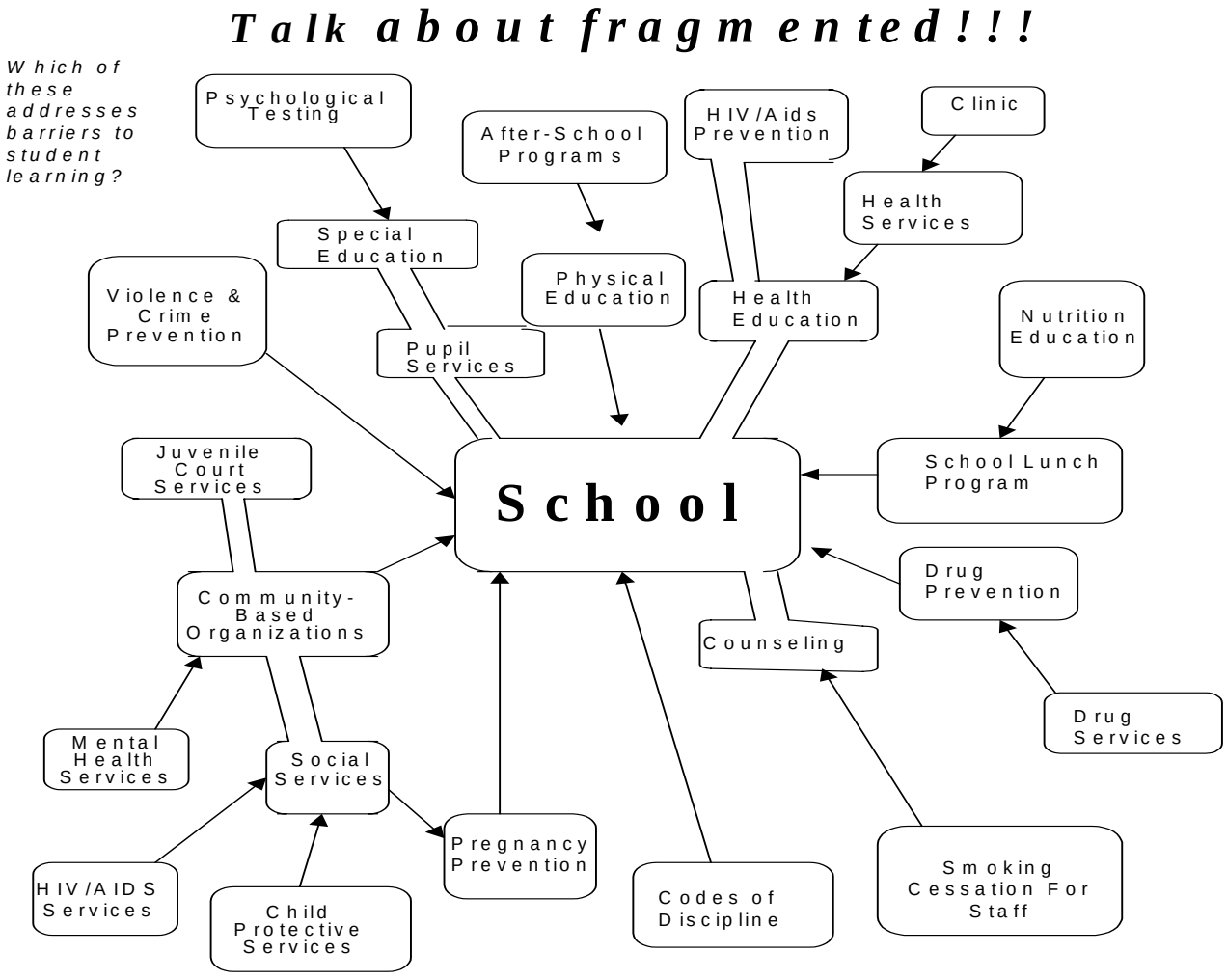
A Unifying Framework and an Integrated Infrastructure for Schools to Address Barriers to Learning and Promote Healthy Development

[Excerpted from: Center 2005 report – *Another initiative? Where does it fit?*]

Currently, most districts offer a range of programs and services oriented to student needs and problems. Some are provided throughout a school district, others are carried out at or linked to targeted schools. Some are owned and operated by schools; some are from community agencies. The interventions may be for all students in a school, for those in specified grades, for those identified as "at risk," and/or for those in need of compensatory or special education.

Looked at as a whole, a considerable amount of activity is taking place and substantial resources are being expended. However, it is widely recognized that interventions are highly fragmented (see Figure 1).

Figure 1. Fragmented programs and services



Adapted from: *Health is Academic: A guide to Coordinated School Health Programs* (1998). Edited by E. Marx & S.F. Wooley with D. Northrop. New York: Teachers College Press.

Many of the programs and services are generated by special initiatives and projects. These include, among many others, initiatives for positive behavioral supports, programs for safe and drug free schools, full service community schools and Family Resource Centers, special project initiatives such as the *School Based Health Center* movement, the *Safe Schools/Healthy Students* projects, and the *Coordinated School Health Program*, efforts to address bi-lingual, cultural, and other diversity concerns, compensatory and special education programs, and the mandates stemming from the No Child Left Behind Act.

With respect to organization, various divisions and their staff usually are found to deal with the same common barriers to learning, such as poor instruction, lack of parent involvement, violence and unsafe schools, poor support for student transitions, disabilities, and so forth. And, they tend to do so with little or no coordination, and sparse attention to moving toward integrated efforts. Furthermore, in every facet of a district's operations, an unproductive separation often is manifested between staff focused directly on instruction and those concerned with student support. It is not surprising, then, how often efforts to address barriers to learning and teaching are planned, implemented, and evaluated in a fragmented, piecemeal manner. And, given the fragmentation, it is commonplace for those staffing the various efforts to function in relative isolation of each other and other stakeholders, with a great deal of the work oriented to discrete problems and with an overreliance on specialized services for individuals and small groups.

Schools confronted with a large number of students experiencing barriers to learning pay dearly for this state of affairs. Moreover, it is common knowledge that such schools don't come close to having enough resources to meet their needs. For these schools in particular, the reality is that test score averages are unlikely to increase adequately until student supports are rethought and redesigned. More broadly, schools that ignore the need to move in new directions related to providing learning supports remain ill-equipped to meet their mission to ensure that all youngsters have an equal opportunity to succeed at school.

Coordination: Necessary but Not Sufficient

Because so many programs have evolved in a piece meal and ad hoc manner, across the country it is not unusual for staff in a district and at a school to be involved in "parallel play." This contributes to widespread counterproductive competition and wasteful redundancy. Effectiveness is compromised. So are efforts to take projects, pilots, and demonstration programs to scale.

The core problem that must be addressed is *maginalization*

One response to all this has been the call to enhance coordination. Clearly, schools are enmeshed in many overlapping programs, services, and initiatives designed to address barriers to learning and promote healthy development. Clearly, a more unified and cohesive approach is needed. However, the emphasis on enhancing coordination is insufficient for addressing the core problem which is *marginalization* in school policy, planning, and practices of the whole enterprise devoted to addressing barriers to learning.

Evidence of the degree to which this is the case is readily seen in school improvement planning guides and school governance. (See our analysis of the deficiencies of prevailing guides in: *School Improvement Planning: What's Missing?* online at http://smhp.psych.ucla.edu/whatsmissing.htm) The marginalization is a major factor contributing to and maintaining fragmented planning, implementation, and evaluation.

A Unifying Concept for Ending Marginalization & Fragmentation of Learning Supports

Ending the marginalization and fragmentation requires adopting a unifying concept that provides an umbrella for a wide range of initiatives, programs, and services (see Figure 2). An *Enabling* or *Learning Supports Component* illustrates such a concept. The intent of such a component is to prevent and minimize the impact of as many problems as feasible and to do so in ways that maximize engagement in productive learning and positive development. For the school and community as a whole, the intent is to produce a safe, healthy, nurturing environment characterized by respect for differences, trust, caring, and support.

An Enabling or Learning Supports Component focuses on enhancing policy and strategic collaboration to develop comprehensive approaches that maximize learning and in the process strengthen the well-being of students, families, schools, and neighborhoods. This is accomplished by fully integrating the enterprise into a school's efforts to improve instruction (see Figure 2B).

All this, of course, requires major systemic changes that address the complications stemming from the scale of public education. This means the changes must be based on frameworks and procedures that can be adapted to fit every school in a district and modified for small and large urban, rural, suburban settings.

Given the current state of school resources, efforts to establish and institutionalize an *Enabling* or *Learning Supports Component* clearly must be accomplished by rethinking and redeploying how existing resources are used. The work requires weaving school owned resources and community owned resources together to develop comprehensive and cohesive approaches. The work also must take advantage of the natural opportunities at schools for addressing learning, behavior, and emotional problems and promoting personal and social growth. This encompasses a focus on promoting the well-being of teachers and other school staff so that they can do more to promote the well-being of students. As is the case for students, staff need supports that enhance protective buffers, reduce risks, and promote well-being.

Safe, supportive, healthy, and caring schools

In short, the ideal is to install a well-designed and nonmarginalized component for addressing barriers to learning and promoting healthy development at every school. This encompasses a commitment to fostering staff and student resilience and creating an atmosphere that encourages mutual support, caring, and sense of community. Staff and students must feel good about themselves if they are to cope with challenges proactively and effectively. Properly implemented, such a component can foster smooth transitions, positive informal encounters and social interactions; facilitate social and learning supports; provide opportunities for ready access to information and for learning how to function effectively in the school culture. (For any school, a welcoming induction and ongoing support are critical elements both in creating a positive sense of community and in facilitating staff and student school adjustment and performance.) School-wide strategies for welcoming and supporting staff, students, and families at school *every day* are part of creating a safe, supportive, healthy, caring school – one where all stakeholders interact positively with each other and identify with the school and its goals.

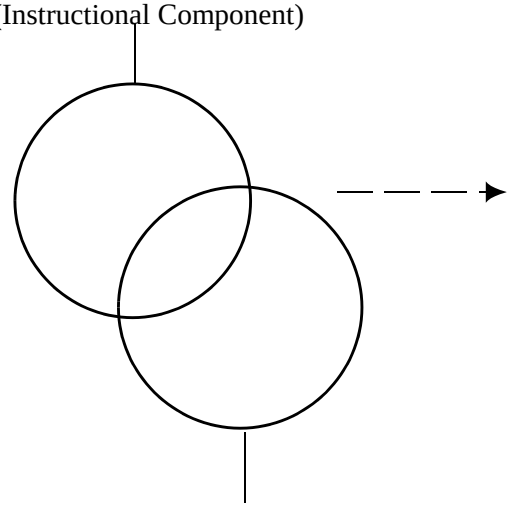
Figure 2. Improving school improvement planning

A. Current School Improvement Planning

Primary Focus *Marginalized Focus*

Direct Facilitation of Learning
(Instructional Component)

Addressing Barriers to Learning & Teaching*
(not treated as a primary component so initiatives, programs, services are *marginalized*)



Examples of Initiatives, Programs, and Services

>positive behavioral supports
>programs for safe and drug free schools
>full service community schools and Family Resource Centers
>Safe Schools/Healthy Students
>*School Based Health Center* movement
>*Coordinated School Health Program*
>bi-lingual, cultural, and other diversity programs
>compensatory education programs
>special education programs
>mandates stemming from the No Child Left Behind Act
>And many more (see Figures 1 and 3)

Governance and Resource Management
(Management Component)

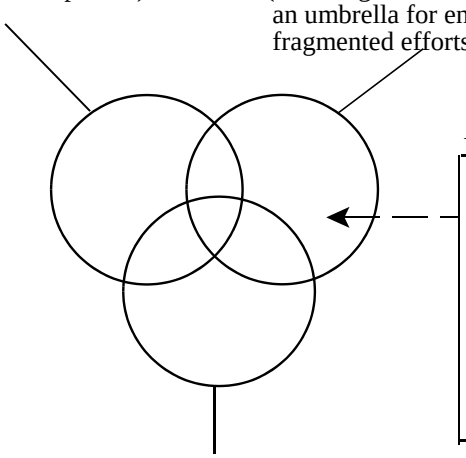
(The various initiatives and the programs and services they generate often add to the fragmentation, counterproductive competition, and wasteful redundancy associated with existing activity)

*While not treated as a primary and essential component, schools generally offer some amount of school-owned student "support services" – some of which links with community-owned resources. Many types of student support personnel staff the interventions (e.g., school counselors, psychologists, social workers, nurses, etc.). Schools have been reaching out to community agencies to add a few more services. All of this, however, remains marginalized and fragmented in policy and practice.

B. Needed: Revised Policy to Establish an Umbrella for School Improvement Planning Related to Addressing Barriers to Learning and Promoting Healthy Development

Direct Facilitation of Learning
(Instructional Component)

Addressing Barriers to Learning & Teaching
(Enabling or Learning Supports Component –
an umbrella for ending marginalization by unifying the many fragmented efforts and evolving a comprehensive approach)



Examples of Initiatives, Programs, and Services

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>Coordinated School Health Program
>bi-lingual, cultural, and other diversity programs
>compensatory education programs
>special education programs
>mandates stemming from the No Child Left Behind Act
>And many more activities by student support staff

Governance and Resource Management
(Management Component)

Operationalizing an Enabling or Learning Supports Component

Various states and localities are moving in the direction of the three component approach for school improvement illustrated in Figure 2B. In doing so, they are adopting different labels for their component to address barriers to learning. For example, the state education agencies in California and Iowa and various districts across the country have adopted the term *Learning Supports*. So has the New American Schools' Urban Learning Center comprehensive school reform model. Because the Urban Learning Center model was listed in legislation for Comprehensive School Reform, the concept of a Learning Supports Component is being adopted in schools in California, Oregon, Utah, and other locales. Some states use the term *Supportive Learning Environment*. The Hawai`i Department of Education calls it a *Comprehensive Student Support System* (CSSS). Building on Hawai`i's pioneering work, legislation has been proposed in California for a *Comprehensive Pupil Learning Supports System*. Whatever the component is called, the important point is that a component for addressing barriers to learning is seen as necessary and on a par with the instructional component (complementing and overlapping it). The bottom line is that there is growing understanding that efforts to address barriers to development, learning, and teaching can no longer be marginalized in policy and practice.

Whatever the component is called, it needs to be operationalized to fit local schools. In doing so, two frameworks provide guidance. One is the continuum framing the scope of desired intervention; the other is a conceptualization that organizes the "content" of efforts for addressing barriers to learning and teaching and does so with appreciation of the role played by efforts to promote healthy development.

A Continuum of Interventions to Meet the Needs of All Children and Youth

By viewing programs, services, projects, and initiatives along a continuum of student needs, schools and communities are more likely to provide the right interventions for the right students at the right time (see Figure 3). Such a continuum encompasses efforts to positively affect a full spectrum of learning, physical, social-emotional, and behavioral problems in every school and community by

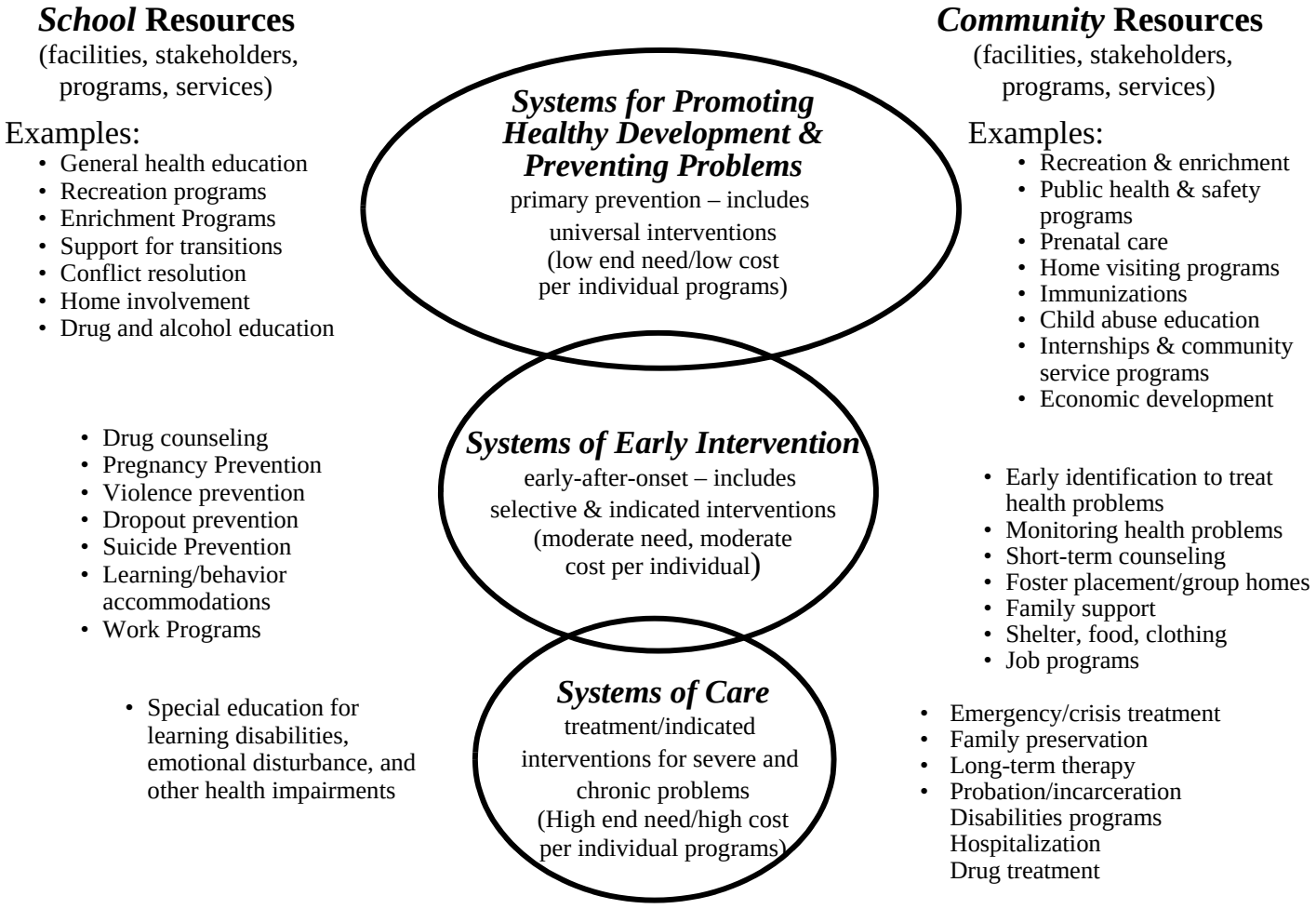
- promoting healthy development and preventing problems
- intervening as early after the onset of problems as is feasible
- providing special assistance for severe and chronic problems.

Note that, as illustrated in Figure 3, the effectiveness of such a continuum depends on *systemic* design. That is, at each level the emphasis is on developing a system – not just having an initiative or programs. Moreover, all levels need to be interconnected systemically.

Figure 3. Interconnected Systems for Meeting the Needs of All Students

Providing a *CONTINUUM OF SCHOOL-COMMUNITY PROGRAMS & SERVICES*

Ensuring use of the *LEAST INTERVENTION NEEDED*



Systemic collaboration* is essential to establish interprogram connections on a daily basis and over time to ensure seamless intervention within each system and among *systems of prevention*, *systems of early intervention*, and *systems of care*.

*Such collaboration involves horizontal and vertical restructuring of program sand services

(a) within jurisdictions, school districts, and community agencies (e.g., among departments, divisions, units, schools, clusters of schools)

(b) between jurisdictions, school and community agencies, public and private sectors; among schools; among community agencies

(From various public domain documents authored by H.S. Adelman and L. Taylor and circulated through the Center for Mental Health in Schools at UCLA. Adapted by Permission.)

Such a continuum encompasses efforts to enable academic, social, emotional, and physical development and address learning, behavior, and emotional problems at every school. As noted, most schools have some programs and services that fit along the entire continuum. However, the tendency to focus mostly on the most severe problems has skewed things so that too little is done to prevent and intervene early after the onset of a problem. As a result, the whole enterprise has been characterized as a "waiting for failure" approach.

Framing the Content of Learning Supports

Pioneering efforts have operationalized the content of an Enabling or Learning Supports Component into six programmatic arenas. In effect, they have moved from a "laundry-list" of programs, services, and activities to a defined content or "curriculum" framework that categorizes and captures the essence of the multifaceted ways schools need to address barriers to learning.

The six content arenas organize learning supports into programs for

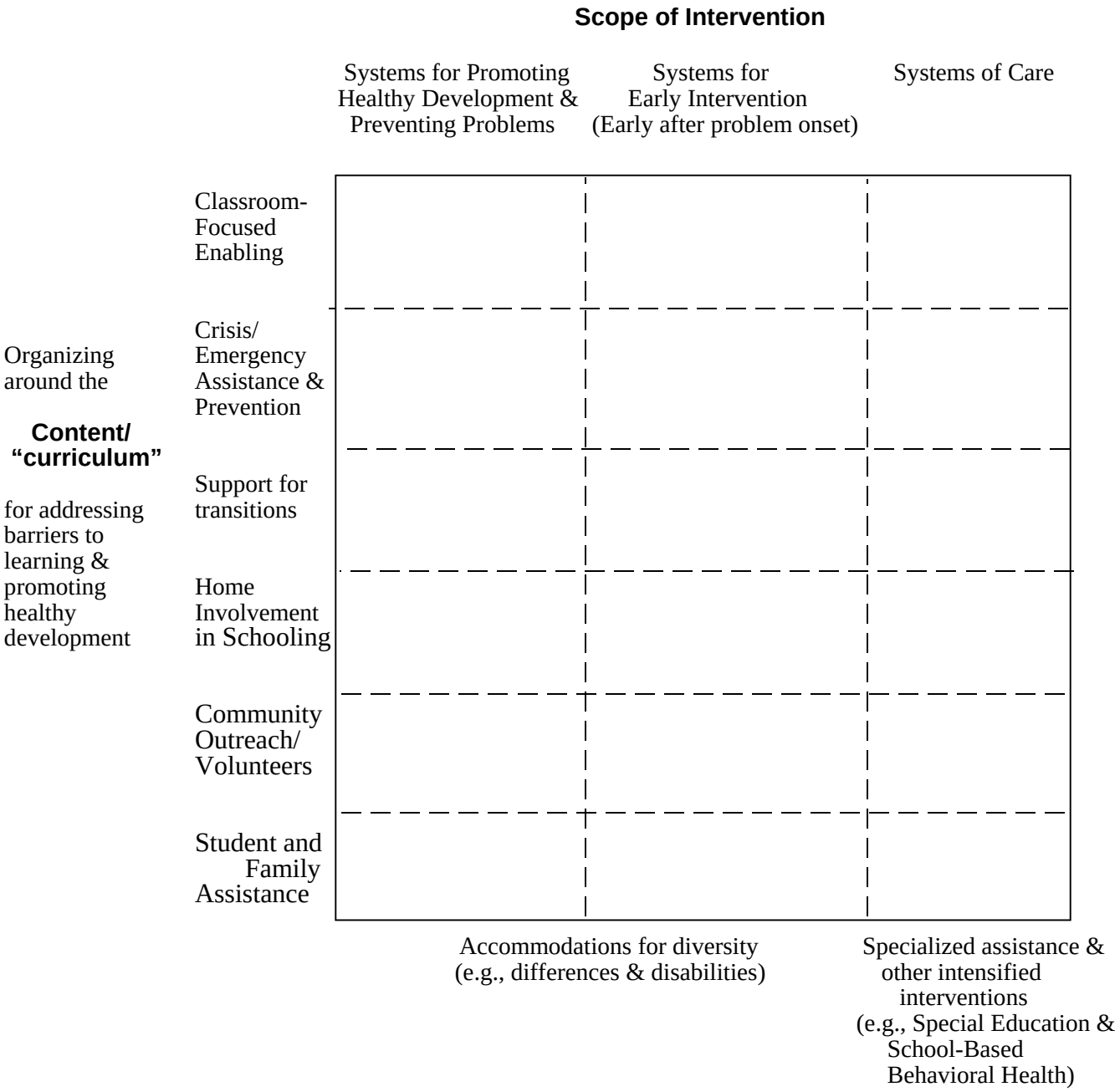
- *enhancing regular classroom strategies to enable learning* (e.g., improving instruction for students with mild-moderate learning and behavior problems and re-engaging those who have become disengaged from learning at school)
- *supporting transitions* (e.g., assisting students and families as they negotiate school and grade changes, daily transitions, etc.)
- *increasing home and school connections*
- *responding to, and where feasible, preventing school and personal crises*
- *increasing community involvement and support* (e.g., outreach to develop greater community involvement and support, including enhanced use of volunteers)
- *facilitating student and family access to effective services and special assistance as needed*.

For a sampling of relevant outcome data, see: *Addressing Barriers to Student Learning & Promoting Healthy Development: A Usable Research-Base* – online at
http://smhp.psych.ucla.edu/pdfdocs/briefs/BarriersBrief.pdf

Matrix Framework: What's Being Done, What's Missing?

Combining the continuum of interventions with these six content arenas provides a "big picture" of *a comprehensive, multifaceted, and integrated approach*. The resulting matrix creates a unifying umbrella framework to guide rethinking and restructuring the daily work of all staff who provide learning supports at a school (see Figure 4). The matrix can be used to guide mapping and analysis of resources and identifying gaps and redundancies, thus increasing effectiveness and efficiency of the supports to learning.

Figure 4. Matrix for reviewing scope and content of a component to address barriers to learning.*



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*General initiatives and specific school-wide and classroom-based programs and services can be embedded into the matrix. Think about those related to positive behavioral supports, programs for safe and drug free schools, full service community schools and Family Resource Centers, special project initiatives such as the *School Based Health Center* movement, the *Safe Schools/Healthy Students* projects, and the *Coordinated School Health Program*, efforts to address bi-lingual, cultural, and other diversity concerns, compensatory and special education programs, and the mandates stemming from the No Child Left Behind Act.

Also Needed: An Integrated Infrastructure

Accomplishing organizational and operational functions requires mechanisms, and such mechanisms need to be woven together into an effective and efficient infrastructure. Developing and institutionalizing a comprehensive component for learning supports requires infrastructure mechanisms that are integrated with each other and are fully integrated into school improvement efforts.

Infrastructure must be redesigned to ensure the integration, quality improvement, accountability, and self-renewal related to *all three* components illustrated in Figure 2B. This necessitates rethinking infrastructure at school and district levels with respect to mechanisms for daily (1) governance, (2) leadership, (3) planning and implementation of specific organizational and program objectives, (4) coordination and integration for cohesion, (5) communication and information management, (6) capacity building, and (7) quality improvement and accountability.

In redesigning mechanisms to address these matters, new collaborative arrangements must be established, and authority (power) redistributed (easy to say, hard to accomplish). Reform obviously requires ensuring that those who operate essential mechanisms have adequate resources and support, initially and over time. Moreover, there must be appropriate incentives and safeguards for individuals as they become enmeshed in the complexities of systemic change.

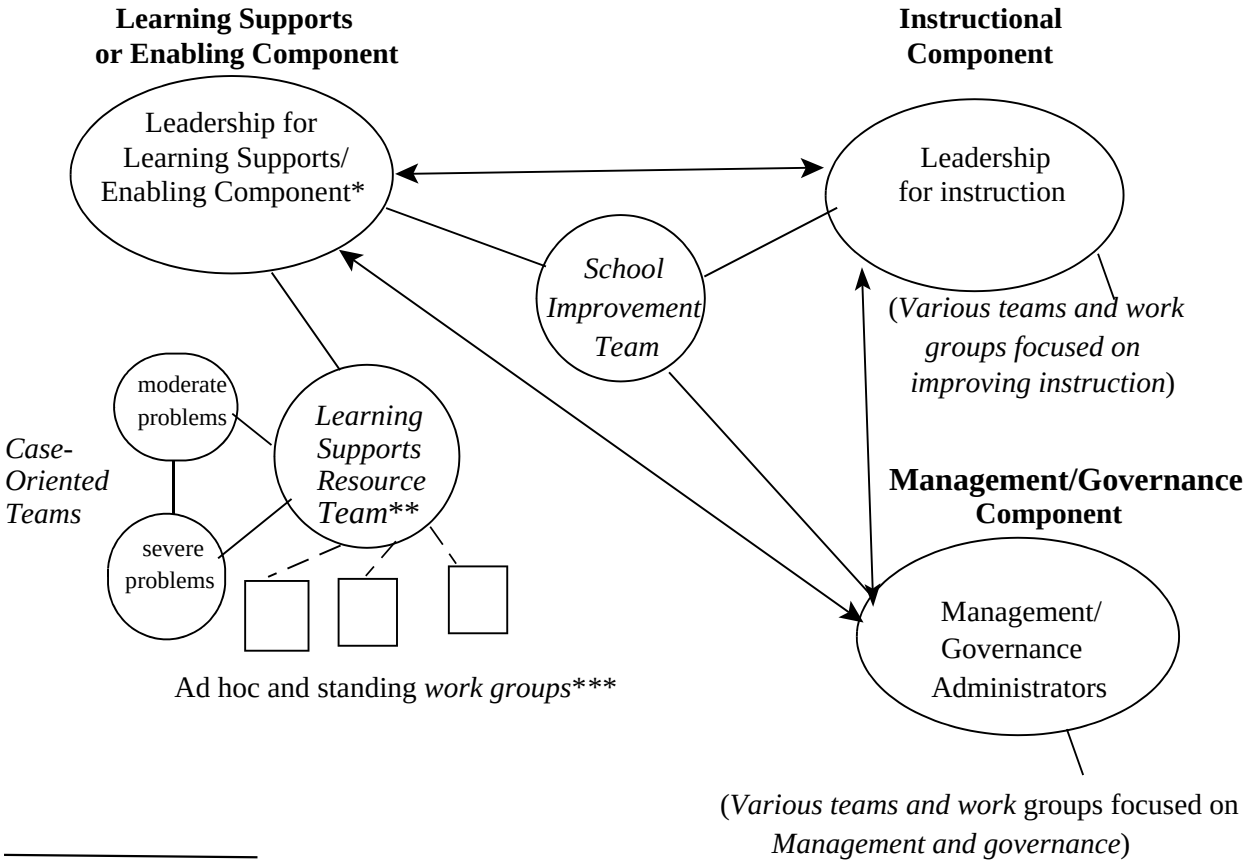
When the intent is to develop a comprehensive enabling component, the component's mechanisms not only must be integrated with each other, they must be fully enmeshed with those designed to enhance instruction and strengthen management/governance. This all requires major changes in the organizational and operational infrastructure at a school and ultimately at district, regional, and state levels. Moreover, implied in all this are new roles and functions for administrators and student support staff.

Figure 5 illustrates how the infrastructure at a school might be reworked.

Schools in the same geographic or catchment area have a number of shared concerns, and schools in the feeder pattern often interact with students from the same family. Furthermore, some programs and personnel already are or can be shared in strategic ways by several neighboring schools, thereby reducing costs by minimizing redundancy and opening up ways to achieve economies of scale.

A multi-site council can provide a mechanism to help ensure cohesive and equitable deployment of resources and also can enhance the pooling of resources. Such a mechanism can be particularly useful for integrating the efforts of high schools and their feeder middle and elementary schools and connecting with neighborhood resources. This clearly is important in addressing barriers with those families who have youngsters attending more than one level of schooling in the same cluster. It is neither cost-effective nor good intervention for each school to contact a family separately in instances where several children from a family are in need of special attention. With respect to linking with community resources, multi-school teams are especially attractive to community agencies who often don't have the time or personnel to make independent arrangements with every school.

Figure 5. Example of an integrated infrastructure at the school level



*Learning Supports or Enabling Component Leadership consists of an administrator and other advocates/champions with responsibility and accountability for ensuring the vision for the component is not lost. The administrator meets with and provides regular input to the Learning Supports Resource Team.

**A Learning Supports Resource Team ensures component cohesion, integrated implementation, and ongoing development. It meets weekly to guide and monitor daily implementation and development of all programs, services, initiatives, and systems at a school that are concerned with providing learning supports and specialized assistance.

***Ad hoc and standing work groups – Initially, these are the various "teams" that already exist related to various initiatives and programs (e.g., a crisis team) and for processing "cases" (e.g., a student assistance team, an IEP team). Where redundancy exists, work groups can be combined. Others are formed as needed by the Learning Supports Resource Team to address specific concerns. These groups are essential for accomplishing the many tasks associated with such a team's functions.

For more on this, see

>http://smhp.psych.ucla.edu/pdfdocs/infrastructure/anotherinitiative-exec.pdf
>http://smhp.psych.ucla.edu/pdfdocs/studentsupport/toolkit/aidk.pdf

In general, a group of schools can benefit from a multi-site resource mechanism designed to provide leadership, facilitate communication and connection, and ensure quality improvement across sites. For example, a multi-site body, or what we call a *Learning Supports Resource Council*, might consist of a high school and its feeder middle and elementary schools. It brings together one-two representatives from each school's resource *team* (see Figure 6).

The Council meets about once a month to help (a) coordinate and integrate programs serving multiple schools, (b) identify and meet common needs with respect to guidelines and staff development, and (c) create linkages and collaborations among schools and with community agencies. In this last regard, it can play a special role in community outreach both to create formal working relationships and ensure that all participating schools have access to such resources.

More generally, the Council provides a useful mechanism for leadership, communication, maintenance, quality improvement, and ongoing development of a comprehensive continuum of programs and services. Natural starting points for councils are the sharing of needs assessments, resource maps, analyses, and recommendations for reform and restructuring. Specific areas of initial focus would be on local, high priority concerns, such as addressing violence and developing prevention programs and safe school and neighborhood plans.

Representatives from Learning Supports Resource Councils would be invaluable members of planning groups (e.g., Service Planning Area Councils, Local Management Boards) and other school-community collaboratives. They bring info about specific schools, clusters of schools, and local neighborhoods and do so in ways that reflect the importance of school-community partnerships.

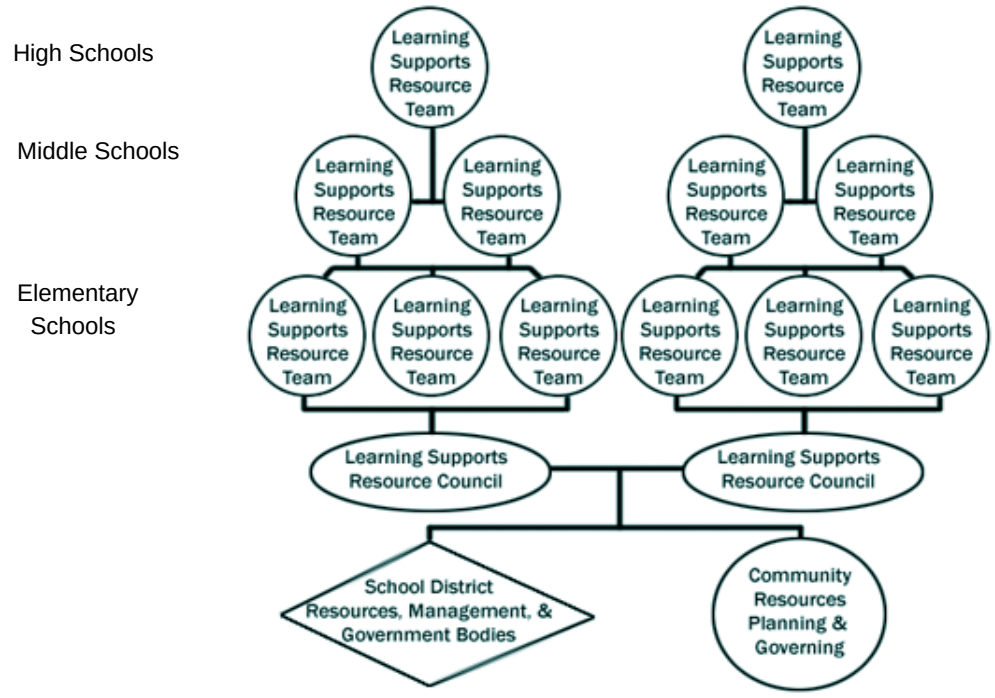



Figure 6. Resource-oriented Mechanisms Across a Family of Schools