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**Senate Committee on Health, Education, Labor, and Pensions
Hearing on ESEA Reauthorization: Standards and Assessments
April 28, 2010**

Context: The Senate Committee on Health, Education, Labor, and Pensions held a hearing on April 28 regarding reauthorization of the Elementary and Secondary Education Act (ESEA), specifically related to standards and assessments. The hearing was part of a series of conversations the Committee is holding in an effort to overhaul the ESEA.

Testimony Summary: Witnesses for the hearing included: Steven L. Paine, PhD, Superintendent of Schools, West Virginia Department of Education, Gary Phillips, PhD, Vice President, American Institutes for Research, Charlene Rivera, EdD, Executive Director, George Washington University Center for Equity and Excellence in Education, Cynthia B. Schmeiser, PhD, President, Education Division, ACT National Office, Martha Thurlow, PhD, Director, National Center on Educational Outcomes.

Chairman Harkin (D-IA) set the stage for the hearing by commenting on the importance of setting state standards that are aligned with college- and career-readiness, developing a much higher quality set of assessments, including the utilization of technological advances, and ensuring that assessments account for student diversity. Ranking Member Enzi (R-WY) echoed the call for alignment of standards and assessments to better measure student growth, and particularly noted the importance of assisting states in this effort, rather than requiring or coercing them to participate.

- In his testimony, Steven Paine discussed the development of the Common Core Standards, including the core principles and process, as well as the development of Common Assessments. While Dr. Paine emphasized that the Common Core must remain a state-led process, he urged the federal government to support state and local leadership through ESEA reauthorization, by promoting innovation and providing greater flexibility for states to transition their accountability systems and align them to the Common Core.
- Gary Phillips discussed the lack of transparency in NCLB and the flawed use of AYP data to measure progress, as well as the outdated paper/pencil tests that are used in most states. Dr. Phillips advocated for common content standards and common performance standards and computer-adaptive testing to be incorporated into reauthorization.
- Charlene Rivera addressed the importance of ensuring that English Language Learner needs are addressed by the reauthorized ESEA. Dr. Rivera remarked that states should consider the needs of ELL students in new standards and assessment systems, and address ways to include and accommodate them in assessments. She also stated that ELLs need to learn academic language in order to acquire subject matter proficiency, a comment she later elaborated on during the question and answer period.
- Cynthia Schmeiser in her remarks discussed the need for agreement on what constitutes "college- and career-readiness." Additionally, Dr. Schmeiser noted that while the development of college-

- In her testimony, Martha Thurlow discussed the critical need to improve standards and assessments to serve all students, particularly children with disabilities. Dr. Thurlow remarked that this conversation should begin by focusing on accessibility of standards, and universal design, or a set of principles and procedures to ensure assessments are appropriate for wide range of students.

Discussion Focus: Following testimony, members of the Committee participated in a question and answer session with the witnesses.

- Many Committee Members, including Chairman Harkin (D-IA) and Sen. Hagan (D-NC), addressed the use of technology/computer-based systems of assessments. In response, witnesses noted the tremendous potential to take accommodations into account with technology-based assessments, and that technology-based assessments are not incompatible with wanting to capture multiple measures of student performance. Witnesses also remarked that computer adaptive tests are more accurate for measures of growth for both high achieving and low achieving students, and provide real-time analysis for teachers. While many states already use these assessments, and most testing companies are involved in their development, a signal in ESEA reauthorization that this is important would ensure more innovation in computer adapted tests in the future. Chairman Harkin asked whether an analysis exists of school district capability to use technological for assessments. Witnesses responded that surveys have been conducted, and that schools do not need to have a computer for every student at the same time if they are testing throughout the year; the transition to technology also presents a leveraging opportunity to drive school technology improvements.
- Ranking Member Enzi (R-WY) questioned witnesses on how the federal government can play a supportive role to states in the implementation of the Common Core, without nationalizing them. Sen. Alexander (R-TN) also cautioned against nationalization of standards and assessments. In response, Dr. Phillips remarked that a revised ESEA should reward state leadership for the development of common assessments and aligned professional development, as well as innovation and alignment to a set of common core standards. ESEA should also allow flexibility for states to establish accountability systems that work for their respective state. Dr. Phillips also remarked that the development of common assessments is a grassroots effort, and that federal funding does not translate into nationalization.
- Members, including Sen. Casey (D-PA) and Sen. Murray (D-WA), asked witnesses about the need to align standards with teacher professional development. Witnesses remarked on the critical nature of developing quality teaching, and the need to capitalize on a set of common standards and assessment strategies to help our teachers become assessment literate – how to read standards and how to assess achievement within those standards.
- Sen. Murray (D-WA) and Sen. Isakson (R-GA) focused much of their comments and questions on the need to ensure that ELLs and students with disabilities, respectively, are best served by new systems of standards and assessments. Dr. Rivera commented on the importance of teachers being able to address individual differences of these students, and noted that the idea of academic language is critical; the ability to teach language of the content explicitly to the students.

- Ranking Member Enzi (R-WY) asked Dr. Schmeiser how ACT's Work Keys relate to career ready standards? Dr. Schmeiser remarked that the Work Keys program is predicated on a database of 17,000 jobs in the United States that have been profiled, with the data fed into the Common Core development process to determine what high school graduates need to be able to know and do to go into workforce training programs and learn job related skills. Building on this question, Sen. Hagan (D-NC) discussed North Carolina's leadership in examining 21st century skills, and asked witnesses to share ideas on what the federal government could do to encourage other states to look at 21st century skills. Dr. Paine remarked that one of the state assessment consortia (SMARTER Balanced) has committed to ensure that 21st century skills are embedded.
- Sen. Franken (D-MN), asked how Congress can guard against states gaming the accountability system following implementation of the Common Core Standards. Dr Phillips, in his response, noted that by adopting the Common Core, part of the loophole automatically closes, because all states will be held to the same bar. Additionally, you would need to reign in discrepancies on test cut scores, and set a cut score that is internationally benchmarked to ensure they are reasonably consistent and high. Dr. Phillips also suggested that an evaluation of these activities could be built into a reauthorized ESEA.
- Lastly, Sen. Bennett (D-CO) and Chairman Harkin (D-IA) expressed concern over the ritual of months long summative test preparation as an unintended consequence of NCLB. Witnesses remarked that with the Common Core, standards are fewer, clearer, higher, and that the Core reflects the narrowing of standards, that still has high rigor, but hones in on concepts that are needed. Chairman Harkin also commented on how CCSSO is looking at the next generation of learners, how to best support there needs, and provide teachers with access to real-time data and make real-time decisions.

Analysis: Overall, Members of the Committee expressed their support for the Common Core Standards Initiative and the development of common assessments. Members were concerned over the level of flexibility currently available to states as well as ensuring that the Common Core remained a state-led process and not a federal initiative. One particular area that received a lot of attention throughout the hearing was the expanding use of technology-based adaptive assessments.