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Senate Committee on Health, Education, Labor, and Pensions
Hearing on ESEA Reauthorization: Meeting the Needs of Special Populations
April 29, 2010

Context: The Senate Committee on Health, Education, Labor, and Pensions held a hearing on April 29 regarding reauthorization of the Elementary and Secondary Education Act (ESEA), specifically related to meeting the needs of special populations. 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: Michael Hinojosa, Superintendent, Dallas Independent School District; Carmen Medina, Chief of Migrant Education Bureau of Community and Student Services, Pennsylvania Department of Education; Lucinda Hundley, Assistant Superintendent of Student Support Services, Littleton Public Schools, Littleton, CO; Denise Ross, Supervisor, Homeless Education Office, Prince George's County Public Schools, MD; Kayla VanDyke, Student, Eagan, MN.

Chairman Harkin (D-IA) set the stage for the hearing by commenting on the importance of recognizing the needs of special populations of students, including English Language Learners, students with disabilities, migrant, foster care, and homeless students, while holding high expectations for all. Ranking Member Enzi (R-WY) echoed Sen. Harkin's comments on the importance of addressing these issues, and called for increased flexibility to help states and districts meet the needs of special populations.

- In his testimony, Michael Hinojosa discussed the Dallas Independent School District's accomplishments in serving special populations. He highlighted the district's efforts to reduce the number of vacancies of qualified teachers and the development of a growth model to level the playing field for all students. Dr. Hinojosa urged the Committee to retain current provisions regarding the allowable use of assessments in students' native language as well as to provide incentives for districts to keep students in school that have not graduated in four years.
- Carmen Medina discussed the Migrant Education Program and the program's success in Pennsylvania in particular. Ms. Median also remarked on the need to expand the program's eligibility to include children birth to age three, given early intervention services profound impact on student success.
- Lucinda Hundley commented on the success of Littleton Public Schools in supporting special education services. Additionally, Ms. Hundley recommended that ESEA maintain full accountability for students with disabilities, provide flexibility in use of funds to train and build capacity for special education personnel, provide incentives for state assessments, so that all students can demonstrate skills and knowledge, and expand opportunities to improve early literacy instruction and critical interventions.
- Denise Ross addressed the unique needs of homeless children and youth, and the importance of the McKinney-Vento Homeless Assistance Act. However, despite progress, many challenges remain,

including difficulty in identification of homeless students, lack of dedicated staff and resources, transportation, and lack of clarity in the Title I Part A set aside.

- In her testimony, Kayla VanDyke spoke about her experiences working with foster care children and homeless youth. Ms. VanDyke discussed the importance of having an adult advocate as well as dedicated scholarship resources to provide opportunities and motivate students in the foster care system.

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

- Chairman Harkin (D-IA) and Ranking Member Enzi (R-WY) focused their opening questions on serving the needs of students with disabilities. Chairman Harkin asked Assistant Superintendent Hundley about the use of growth models in supporting this population of students, while Ranking Member Enzi asked about the use of IEPs in accountability. Ms. Hundley responded that a growth model is important; as it is based on where the student is now and where they need to go, in addition to needing to provide a lot of individualized attention. Additionally, she stated that IEPs are part of the accountability system, but not the only measure, as it is gauged more around what is possible for an individual student in a given year.
- Ranking Member Enzi (R-WY) asked Denise Ross about the reporting requirements of the McKinney-Vento Act, and if these new requirements have resulted in improved services and outcomes. Ms. Ross responded that there are certain areas that can be still strengthened, particularly transportation. Transportation costs can be incredibly high, causing some districts to under identify the number of homeless students. Sen. Enzi (R-WY) also asked Carmen Medina about how her state identifies eligibility for students in the migrant program. Ms. Medina stated that in Pennsylvania they have recruiters that work with the agriculture industry, community leaders, etc., as well as using word of mouth to identify migrant students. The program then proceeds with a verification process to review eligibility documents.
- Sen. Franken (D-MN) also commented on the need for better transportation services, specifically in regard to homeless and foster care youth, for students to be able to attend their schools of origin. He and Sen. Murray (D-WA) have introduced legislation that would require school districts to collaborate with child welfare agencies to ensure that students are able to remain in their schools, and would make liaisons and counselors more accessible. Sen. Mikulski (D-MD) stated that she would like to be a co-sponsor of the bill.
- Sen. Mikulski (D-MD) asked witnesses to provide concrete recommendations on how to best meet workforce needs and train teachers and support staff. Ms. Hundley remarked that mentoring programs are essential to help with teacher/staff shortages, as do incentive programs. Additionally, once these personnel are in the field, Ms. Medina responded that in Pennsylvania, migrant student educators are required to conduct 150 hours of field work.
- Sen. Murkowski (R-AK) focused her line of questions on the importance of flexibility in assessing students in their native language. She asked witnesses how to best deal with situations where this access is not always available. In response, Superintendent Hinojosa reinforced the importance of getting kids proficient in their native language in academic areas first, as it is difficult to prescribe what students need if you cannot determine their proficiency. Additionally, he urged that there needs to be additional flexibility in accountability systems for these students.

- Sen. Bennett (D-CO) asked the Superintendent for recommendations for amending the ESEA to strengthen services for special populations. Mr. Hinojosa focused on 3 main points in his response: 1) eliminate the 20% set aside in title funds for external providers, as the district can often provide better services; 2) provide greater flexibility; and 3) consider possible unintended consequences of accountability, especially with regard to sanctions.
- The issue of tracking systems for migrant students and other students who are uprooted from their homes was an issue of focus for Chairman Harkin (D-IA) and Sen. Mikulski (D-MD). Ms. Medina provided information on the M6 collection system in the Office of Migrant Education that collects data on migrant students, with state Migrant Offices notifying one another when families move.

Analysis: Members of the Committee demonstrated a strong interest in better meeting the needs of special populations, including migrant, homeless, foster care, ELL, and students with disabilities in ESEA reauthorization. Members and witnesses agreed about the need for local flexibility to better provide programs and services for these student groups, with tracking systems and transportation services being the greatest challenge for states and districts.