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Testimony of U. S. Rep. Suzanne Bonamici
House Committee on Education
February 22nd, 2016

Chair Doherty, Vice Chairs Frederick and Sprenger, and Members of the Committee: Thank you for the opportunity to submit written testimony.

I served in the state legislature from 2007-2011, and was a member of the Senate Education Committee in the 2009 and 2011 sessions. The value of and potential from public education led to my involvement in public policy. I volunteered in my kids' schools, focused on education issues in the Oregon legislature, and came to Congress with education at the top of my list of priorities. I now serve on the Committee on Education and the Workforce, which worked on replacing No Child Left Behind.

We know the problems with No Child Left Behind: high stakes testing, narrowing of curriculum, stifled teaching and learning, Adequate Yearly Progress and one-size-fits-all interventions, lack of flexibility, and a patchwork of waivers. Last year when Congress was working to fix this well-intentioned but flawed legislation, the U.S. House and Senate both passed bills but they differed significantly. The House bill was problematic in significant ways, so I worked hard to get on the Conference Committee to reconcile the House and Senate bills. I am pleased to report that the Every Student Succeeds Act, ESSA, passed out of the Conference Committee 39-1 and through both chambers with strong bipartisan support last December.

ESSA addresses the problems with No Child Left Behind. It restores local control but keeps federal guardrails to make sure states and districts take action in schools where too many students are struggling. ESSA preserves the legacy of the original Elementary and Secondary Education Act, passed 50 years ago to fight poverty and promote equity and opportunity for all.

We have a lot to celebrate, but in no way is our work done. This testimony will cover major provisions of the new law. It will focus on several areas: provisions on testing and accountability, supporting disadvantaged communities, encouraging well-rounded education, and support for teachers.

Highlights of the Law

1. Testing and Accountability

To start, ESSA requires states to have high academic standards that prepare students for postsecondary success. These standards must be aligned to entrance requirements at public institutions of higher education, and be relevant to career and technical education standards. Other than funding, the top concern I've heard during visits to schools in my district is testing. ESSA makes thoughtful changes to reduce the burden of current testing requirements. It also maintains important information about student performance.

ESSA requires annual, statewide assessments in reading and math in grades three through eight, plus once in high school. It requires assessments in science once between grades three and five, once between grades six and nine, and once between grades 10 and 12.

Importantly, ESSA reduces the high stakes tied to test scores. Under ESSA, states will consider multiple measures of student learning and school quality. This includes factors like educator engagement and students' access to advanced coursework. These measures can be used in school ratings. Students demonstrate knowledge in many ways, and this is positive shift away from test scores as the sole indicator of learning.

ESSA does maintain the federal requirement for at least 95 percent participation in tests. The law has a "parental rights statement" clarifying that it does not preempt state or local law regarding the decision of parents to opt their child out of assessments. But, if a child opts out, that child is still counted against the 95 percent requirement. Unlike under No Child Left Behind, states will now decide what should happen in schools that miss the assessment target.

ESSA includes my "fewer, better assessments" provision, and has resources for districts to make better use of tests and eliminate unnecessary, duplicative tests. ESSA also lets seven states pursue assessment flexibility through an innovative assessment pilot program. I am eager to work with stakeholders here who are interested in applying for Oregon to be a pilot state.

The law lets districts apply to use an alternative high school assessment, like the SAT or ACT. ESSA also lets states replace a year-end test with a series of assessments, although this might be challenging. ESSA permits states to set limits on the amount of time students spend taking tests. Taken together, these provisions should lead to fewer, better tests.

ESSA also replaces Adequate Yearly Progress with state accountability systems, giving states a welcome opportunity to take the lead. Each state will need to identify the lowest-performing five percent of schools, high schools with high dropout rates, and schools where subgroups of students lag behind their peers. States and districts will work together with local stakeholders to design improvement plans that meet the unique needs of the identified schools.

We all share concern about Oregon's dropout rate. Under ESSA, any high school with a poor graduation rate (less than 67 percent) is identified for a support or improvement plan. This

provision means more low-performing high schools may become eligible for federal school improvement Title I-A funds.

2. Support for Disadvantaged Communities

ESSA does several things to support and promote equity for students from disadvantaged communities, including at-risk students and those with additional obstacles to graduation.

The Elementary and Secondary Education Act was an important piece of civil rights legislation in 1965. That original bill recognized that public education is about social mobility and life-long opportunity. ESSA protects this legacy.

The new law prevents Title I portability. Federal funds will continue to target concentrated poverty. ESSA also maintains important disaggregated data reporting by subgroup, and adds reporting for homeless children, those in the foster care system, and kids in military families.

ESSA includes important funding provisions that are aimed at addressing the achievement gap. Improvement plans must identify and address resource gaps. ESSA requires funds to be targeted to at-risk students, and requires maintenance of effort to supplement, not supplant, state funds.

ESSA also improves programs for delinquent, at-risk students. It smooths transitions to increase their chances of completing school and pursuing a postsecondary education. ESSA supports students with significant cognitive disabilities. It includes state-level caps on the use of alternative testing, and supports students with disabilities to pursue diplomas.

ESSA emphasizes support for English learners by providing resources for high-quality language instruction. It includes a responsible exemption for recent immigrants. Finally, ESSA includes provisions to support migrant education programs and better targets services to migrant students and their families.

ESSA makes several changes to the federal Magnet School Assistance Program. Magnets play an important role in providing choice within public schools; there are several great magnet schools in my district, such as ACMA in Beaverton. ESSA gives priority designation to expand magnet school programs with a record of success. Under ESSA, grants can be used for regional rather than district magnets. One major, but important change, is that grants can now be used for transportation. Finally, grants can be used for up to five years rather than three.

Importantly, ESSA affirms the importance of Extended Learning Opportunities. The law reauthorizes 21st Century Community Learning Centers, and continues to fund full-service community schools.

Another significant aspect of the law for disadvantaged—and all—students is the Student Support and Academic Enrichment (SSAE) grant program. This is a new pot of funding, which was created by consolidating several existing programs. SSAE grants are formula grants with discretion. One focus area of the grants is Safe and Healthy Students. Grants can be used to

support school-based mental health. They can also be used for instruction that fosters safe relationships and helps prevent problems like campus sexual assault down the road. This was a provision I worked to protect. Grants can also be used for bullying and harassment prevention programs, drug and violence prevention, and reducing exclusionary discipline. We all know how important school climate is; these grants will support making positive changes.

A final, but important, component of ESSA that is especially beneficial to disadvantaged communities is expanded access to preschool. ESSA includes \$250 million in annual funding for early-childhood education.

3. Well-rounded Education and Career Readiness

I have always been a major proponent of a well-rounded education. This is another area where Student Support and Academic Enrichment (SSAE) grants will make a difference. There is some discretion, but for most districts (those that receive at least \$30,000), 20 percent of SSAE grants must be used to advance well-rounded education. The law's definition of well-rounded education includes "enriching coursework" like foreign language instruction, arts, music, history, civics, economics, geography, CTE, and environmental education. Accelerated learning like AP/IB and dual enrollment, and STEM and computer science are also included.

I added provisions to the bill to encourage the integration of arts and design into STEM. Our future, and the 21st century workforce, needs creative thinkers. I tour businesses regularly and never hear that they need a good test taker; they want to hire innovators. I am the co-founder and co-chair of the Congressional STEAM Caucus, which seeks to incorporate arts and design into STEM education, so this is an exciting victory. ESSA also includes dedicated funding for arts education through the "Assistance for Arts Education" grant program.

4. Teacher Preparation, Support, and Involvement

We all know how important educators are; great teachers really make a difference. The last area I'd like to focus on today is the resources ESSA provides to states and school districts for teacher recruitment and ongoing professional development opportunities.

The law does not require educator evaluations. These were not required under No Child Left Behind, but were under waivers. ESSA also removes the definition of "highly qualified teacher." This was a well-intentioned No Child Left Behind requirement. But it became arbitrary and there was bipartisan consensus the definition wasn't needed in ESSA.

ESSA makes changes to Title II professional learning programs for practicing teachers, and shifts funding toward states with larger shares of low-income students. Oregon will see a very small, gradual increase.

ESSA authorizes competitive grants for improving literacy instruction. This is positive because of the importance of literacy to academic success. The law also extends the "Supporting Effective Educator Development" program, which awards grants to higher education

institutions and nonprofits for professional development resources and improvement of teacher preparation.

Finally, ESSA extends the School Leader Recruitment and Support program to improve preparation, support, and retention of school leaders. Districts can partner with higher education institutions under this program. I will continue to focus on teacher support and preparation when the Education and Workforce Committee takes up Higher Education Act reauthorization.

This speaks to a broader theme and my final message: our job didn't end when President Obama signed ESSA into law last December. I'm committed to working closely with the US Department of Education and the State of Oregon on implementation. I'm optimistic that the Department of Education will issue final regulations within the year following enactment.

Thank you again for the opportunity to submit testimony.