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United States Senate

WASHINGTON, DC 20510-3703

March 2, 2004

The Honorable Rod Paige
Secretary of Education
U. S. Department of Education
FB6, Room 7W301
400 Maryland Avenue, SW
Washington, DC 20202

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Budget
Commerce, Science
& Transportation
Energy & Natural Resources
Environment & Public Works
Select Committee on
Intelligence
Special Committee on Aging

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Dear Secretary Paige:

Over the past few months as we have traveled our home state of Oregon, we have heard disturbing reports about the immediate effects of No Child Left Behind. Oregonians truly support the ideas of closing the achievement gap, high standards, and accountability, but they know the goals of No Child Left Behind will not be realized if the Administration fails to adequately fund this ambitious initiative. Oregonians also realize that many of the problems with No Child Left Behind are not due to the statute itself, but instead to the way the Administration has chosen to implement the program. While we have pledged to continue to fight for increased funding for education and No Child Left Behind, we believe the Department should immediately undertake administrative changes in its implementation of No Child Left Behind that would help us move more quickly toward the goal of closing the nation's achievement gap.

The changes we suggest are:

- ***Recognize the challenges Rural Schools face to meet the mandates of No Child Left Behind***
 - Provide additional state flexibility for the Highly Objective Uniform State Standard of Evaluation (HOUSSE) to address the unique circumstances of teachers who teach in rural schools.
 - Oregon currently has teacher licensure requirements that are among the highest in the nation. This licensure system could be a proxy for determining what constitutes "highly qualified teachers." Especially for small, rural school districts, allow states flexibility to set standards for highly qualified staff.
 - Provide rural schools flexibility when providing school choice or supplemental services. In some rural areas, school choice is not a practical option and the schools should be given alternate means of meeting the requirements of NCLB.
 - Provide flexibility for rural areas in hiring teaching assistants who meet the NCLB requirements for paraprofessionals.

- ***Give English Language Learners more flexibility in meeting Adequate Yearly Progress while giving them the tools necessary to meet the highest of standards***
 - Permit states either to test ELL students in their native language or use English proficiency tests to hold schools and districts accountable in the ELL students' first three years of enrollment.
 - Provide flexibility for ELL teachers when determining "Highly qualified teacher" status.

- ***Create a National Teacher Workforce Strategy***
 - Set forth a policy to promote teacher retention in poor and rural schools. Unfortunately, No Child Left Behind missed an opportunity to develop a teacher workforce strategy to bring more high quality educators to our most challenging and highest need environments – rural America and urban schools. What is needed is a coordinated workforce development strategy that includes strong incentives coupled with scholarship and tuition waiver programs to address high quality educators, including teachers and administrators, as a workforce issue.

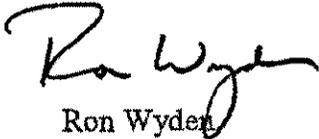
- ***Make the scoring system fair for assessing schools.***
 - NCLB limits how states implement their system of assessments and accountability, which has resulted in a weaker and less accurate system for states like Oregon that already had a strong system in place. The formula for measuring AYP treats a school that has not met one element of the formula the same as a school that has low performance in many areas. This is not an accurate accountability tool and states need more flexibility to design a system that is accurate and reliable, which allows them to establish consequences based on research-based school improvement strategies. Oregon implemented a "compensatory model" four years ago, which gives parents a more accurate report than the AYP measurements based on student performance trends, school improvement, class size, teacher quality and other important factors.
 - We recommend increasing flexibility for states to design and implement accountability systems proportionate to the number, degree, and type of achievement gaps in schools and districts. Such a compensatory model is a more balanced and accurate way to assess schools.

- ***Get parents more involved in No Child Left Behind***
 - Create parent training workshops to inform parents about how No Child Left Behind (NCLB) should work and how they can ensure their children receive the full benefits of the law.
 - Fund the Parent Information and Resource Centers as promised in the NCLB legislation. The President's FY05 budget terminates the program.

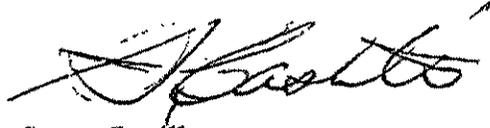
- o Hold schools and districts harmless if they subtract students from AYP participation totals when they are exempted from testing by their parents/custodians.

We would be happy to work with the Department in making these changes and appreciate your consideration.

Sincerely,



Ron Wyden
U.S. Senator



Susan Castillo
Oregon Superintendent of Public Instruction