

Testimony
Jimmy Cunningham
House Education and the Workforce Committee
US House of Representatives
February 16, 2012

Chairman Kline, Ranking Member Miller and members of the Committee:

It is my honor to testify today, and I appreciate your invitation to hear my concerns, as I report from a public school administrator's perspective.

My name is Jimmy Cunningham and I currently serve as the superintendent of Hampton School District in Hampton, Arkansas. We are a small, rural community, serving 550 students. I speak to you from my 35 years as an educator, including 24 years as an administrator, as well as a member of the American Association of School Administrator's (AASA) Governing Board and President-Elect of the National Rural Education Association (NREA).

Let me begin by highlighting the improvement of Arkansas' performance as measured in the recently released *Education Week Quality Counts*. Arkansas has improved from 'average' in policy and performance to a current ranking of fifth in the nation. This is due to the hard work of dedicated teachers, administrators and the State Department of Education that remains committed to improving instruction, and a governor that always has an open door.

I am here to provide testimony about recently introduced legislation to reauthorize the Elementary and Secondary Education Act (ESEA), currently known as No Child Left Behind (NCLB). The sincere, ongoing efforts of this committee to reauthorize ESEA and improve America's schools over the last four years are recognized across this nation. Reauthorization is crucial to providing the nation's schools with relief from current law, which is both broken and lacking in the flexibility states and local school districts need to support student learning and achievement.

The recently introduced Student Success Act and Encouraging Innovation and Effective Teachers Act represent a strong step in the right direction in large part because they re-center the balance of federal involvement in education, returning leadership to education stakeholders at the state and local level. The Hampton School District receives \$153,922 in Title I funding, which represents a mere 1.74 percent of our \$8,840,245.00 operating budget. For this reason, we strongly support the efforts of these bills to balance the proper role of the federal government in education, including returning ownership of the accountability and assessment systems to the state and local levels.

Accountability measures must be transparent, fair and use multiple measures of evidence of growth. We also believe in the requirements for annual assessment, but under state direction. The assessment measures should measure proficiency and growth while also allowing the IEP team to ensure that children under IDEA receive alternative assessments. I was pleased to see Chairman Kline's proposal allows students with the most significant cognitive abilities to be assessed alternatively.

The bills make significant improvements in the federal role in accountability, standards and assessments. As an example of the improvements I found in the proposed legislation, the bills:

- Maintain student disaggregation by subgroup
- Eliminate the utopian 100 percent proficiency requirement
- Eliminate SES/Choice
- Return ownership of the accountability system to the state/local level
- Maintain school improvement for low performing schools, under state direction
- Maintain the requirement for annual assessments under state direction
- Require that assessments measure proficiency and measure growth
- Remove caps on alternate assessments, allowing the IEP team to ensure that children are assessed in a meaningful, fair and accurate manner
- Maintain current law related to comparability calculations
- Maintain supplement/supplant language
- Reduce federal overreach into school improvement/turnaround strategies
- Put states and districts in charge of designing a teacher evaluation system
- Include student performance in teacher evaluation
- Require multiple measures for teacher evaluation
- Provide for funding flexibility between certain programs within Title I
- Eliminate requirements related to Highly Qualified Teacher provisions while allowing states the flexibility to maintain appropriate qualifications
- Consolidates 21st Century funds and allows school districts to use the funds for expanded learning time
- Reauthorize the Rural Education Achievement Program

Delving deeper into an issue I am personally vested in, I want to talk about concerns within the Title I formula. A major flaw with the current Title I formula is the current weighting system, which in theory is designed to drive Title I funding to districts with the highest concentrations of Title I-eligible students. I, along with AASA and NREA, am strongly committed to this intent. Regrettably, current law sometimes does the exact opposite. Current law uses two weighting systems, one based on the percentage of a district's students who are Title I eligible (percentage weighting) and the other based on the sheer number of Title I-eligible students (number weighting).

Every LEA in the nation runs their poverty indicator through both the number and percentage weighting brackets, and whichever one yields the highest per-pupil allocation is the one used in the final allocation of funds. Unfortunately, the number weighting bracket is mathematically far more powerful than the percentage weighting bracket, meaning that money is diverted away from smaller, poorer districts to larger, less poor districts. This adversely affects small districts, both rural and urban, and inflates benefits to low-poverty districts.

Fortunately, there is a legislative fix that has been introduced to this Committee and will hopefully be included as the bill moves through the rest of the reauthorization process. The All Children Are Equal (ACE) Act (HR 2485) was introduced by Congressman Glenn Thompson and garnered broad, bipartisan support from 17 House colleagues. ACE addresses the issue of number-vs-percentage weighting by gradually phasing out number weighting so that after four years, virtually all of the nation's schools will receive Title I allocations based on the percentage of students in poverty, in line with the original intent of Title I dollars being targeted to concentrations of poverty.

The ACE Act is part of the Formula Fairness Campaign, both of which are championed by a broad range of national organizations, including the Rural School and Community Trust, American Association of School Administrators, National Rural Education Advocacy Coalition, American Farm Bureau Federation, Save the Children, National Alliance of Black School Educators and more. I, along with the above listed organizations, strongly urge the Committee to include the ACE Act in the ESEA bills as they move through the reauthorization process.

It is imperative that federal education policy makers, while continuing to work to improve the currently flawed law, recognize the success our nation's public schools have had while placing an emphasis on our standards and accountability measures. Our schools continue to improve even with limited resources, resources that have been increasingly limited—at the federal, state and local level—as the recession wears on. We realize these are tough economic times for our nation and states. That said, now is the time for this Committee and Congress to create and support education policy that best serves our students. There is a direct correlation between the strength of the nation's education system and long-term economic prosperity.

Our job is far from complete. I commend this Committee's ongoing efforts to reauthorize ESEA and look forward to continued leadership committed to the continued improvement in and support of our nation's public schools. After all is said and done, it is still all about the kids.