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### **THE MURPHY PLAN: Education- National Standards, Local Control**

There is perhaps no issue more important to Indiana's future than the education of our children. Education is an essential prerequisite for personal and community prosperity. The jobs that will pay good salaries and offer opportunities in the 21<sup>st</sup> Century economy require skills and knowledge beyond those gained in high school. Indeed, the lifetime earnings gap between someone with a high school diploma and a college degree is now at least \$1 million.

Right now, too many Hoosiers lack the education and training they need to perform – or even qualify for – the kind of skilled jobs that we want to bring to or grow here in Indiana. Our state lags others in the number of adults with more than a high school degree. Our students' scores on standardized tests have increased modestly, if at all, over the past twenty years. And almost 20 per cent of our students are not completing high school on time. Indiana must rededicate itself to the education and training of its citizens, from the time they enter kindergarten to the time they retire. We must improve our anemic student achievement scores – and not by a few points a decade. We must prepare our students for higher education or for a skilled technical career.

By tradition, education has been – and will to a significant extent remain – a state and local responsibility. But the federal government's role in funding education, and in shaping education policy through legislation such as "No Child Left Behind," has grown dramatically

over the past decade and seems likely to continue to expand in the years ahead. The Obama Administration's massive \$787 billion stimulus bill included approximately \$110 billion for K-12 education, money that has been used by states to fill funding gaps created by unprecedented declines in revenue during this recession.

Perhaps even more significant is the \$4.35 billion that was allocated to the U.S. Department of Education to make "Race to the Top" grants to states with the explicit intention of influencing state education policies and practices in order to improve education quality and results. "Race to the Top" requires states seeking funds to commit to reform in four key areas; standards and assessments, building data systems to measure student performance, recruiting and retaining effective teachers and principals, and turning around low-performing schools.

The requirements of "Race to the Top" exemplify the Obama Administration's general views regarding education. The President and his Secretary of Education, former Chicago School Superintendent Arne Duncan, support an aggressive reform agenda intended to shake up the education status quo, which they believe is not meeting the needs of many, if not most, American students. Secretary Duncan has, at various times, advocated for more charter schools, paying teachers based on the academic progress of their students (a position that is anathema to the powerful national teachers' unions), and the takeover of consistently poor performing schools. This is not the typical Democrat education platform, which is why the Administration has gained the cautious support of school reformers across the country, and also why education is the one policy area where I believe President Obama and his team are generally on the right track.

"Race to the Top" (RttT) is an example of how the federal government can leverage its financial support for our nation's schools to encourage reforms and innovation that are

desperately needed to improve education quality and student achievement. Its goals, especially in terms of changing how teachers are evaluated and rewarded, are generally worthy of support. The challenge is for the federal government not to overreach and try to take on roles and responsibilities that more appropriately belong to states and local communities. Doing so risks both failure, because of lack of competence or overcommitment, but also a backlash from state and local officials and their constituents, who resent their loss of control over their schools.

The first major reform element in “Race to the Top” involves the development and adoption of national standards regarding what our children need to know, as well as common assessments for determining how well students are mastering these standards. Standards are the goals of education. They tell us, by grade level and subject area, what children need to know to be proficient and to be able to move on to the next level of learning. Currently, every state adopts its own standards, and many are loathe to give up that authority, arguing that those at the state and local level are best suited to determine what their children need to learn. But why should there be significant differences between what 5<sup>th</sup> graders in Indiana or California or Vermont are expected and need to know about math or reading or science?

Experts in educational psychology and brain science increasingly understand how children learn and develop, and what concepts and skills it is appropriate for them to master at different ages. Common standards would take advantage of this growing body of knowledge and let parents throughout the country know that there are generally accepted and endorsed guidelines that tell them what their children should be learning and mastering every year they’re in school. It would also prevent states from adopting standards that were insufficiently challenging, thus shortchanging their students in the long run.

As an example, some 90 percent of Mississippi 4<sup>th</sup> graders passed the state's reading exam (based on its reading standards) in 2007, but only 50 percent were judged to have "basic" or partial mastery of reading according to the national assessment known as the nation's report card. Mississippi officials could and did claim that the state's students met their reading standards, but in fact their reading skills were terribly deficient. And a very recent study of high school exit exams (created to determine whether students are ready for college or work) show again that many states are watering down the tests in order to ensure that an acceptable number of students are able to pass them.

Of course, adopting common standards should be a voluntary option available to states. Already, Indiana has some of the nation's most highly regarded and rigorous education standards. By no means should we be forced to adopt common standards that were less rigorous or watered down. But a voluntary effort to develop common national standards, as is currently occurring under the auspices of the National Governors Association and the Council of Chief State School Officers, makes sense and deserves the support and the encouragement of the federal government, and of the education community.

With common standards should come common assessments to measure what and how well our children are learning. There are many details still to be worked out about such tests would be developed, implemented and analyzed (i.e. who should determine what constitutes "passing" or "proficiency" on such a test), but in principle it should be possible to reach consensus on these issues and develop a series of tests based on the standards that effectively measure student learning growth and achievement in core subjects.

The federal government is also well positioned to analyze the results of such tests and provide accurate and transparent information about student performance by state, district, school,

and school subpopulations to the public. Measuring relative as well as absolute performance is particularly important in order to fairly and accurately assess the impact of teachers and schools on student achievement. It takes into account the student's previous performance and then assesses how much (or little) the student has learned during a specific period of time (generally an academic year). Indiana is also making good progress in developing a longitudinal data system that will track students over time – from kindergarten thru higher education (at an Indiana college or university) – which is essential to judging how the state is doing in preparing students for college and career.

Perhaps the most important reform element of “Race to the Top” relates to the recruitment, retention, and rewarding of effective teachers and principals. There is no longer much doubt among the experts that the quality of a classroom teacher has more impact on student learning and achievement than any other single variable. This is hardly surprising. The problem with our current education system is that it generally does a terrible job of evaluating teacher quality, rewarding outstanding teachers, and providing useful remediation to those teachers judged to be performing at unsatisfactory levels.

This is not altogether surprising, given the power and influence of teachers unions in America's education system. If unions ever made sense to protect the interests of teachers, they have clearly outlived their usefulness and stand as a major and often unmovable obstacle to the achievement of meaningful education reform and the improvement of student achievement. Teachers unions have aggressively opposed such sensible ideas as paying teachers more on the basis of performance or need (i.e. teachers in shortage areas like math should make more than art or gym teachers). The contracts they negotiate with school districts make it virtually impossible for teachers to be fired after a brief apprentice period that can be as short as two years and is

rarely more than three. The contracts reward seniority and education levels rather than performance in the classroom. They include strict and complex work rules that make it more difficult for principals and other administrators to deploy staff flexibly.

Consider the following conclusion from a recent report on Teachers Unions and School Reform by the Citizens' Commission on Civil Rights, whose membership included former D.C. Representative Eleanor Holms Norton, Father Theodore Hesburgh, Senator Bill Bradley, and former Senator Birch Bayh, as well as former Indianapolis Mayor Bill Hudnut and highly regarded Ft. Wayne businessman Ian Rolland:

*The unions have battled against the principle that schools and education agencies should be held accountable for the academic progress of their students. They have sought to water down the standards adopted by states to reflect what students should know and be able to do. They have attacked assessments designed to measure the progress of schools, seeking to localize decisions about test content so that the performance of students in one school or community cannot be compared with others. They have resisted innovative ways-such as growth models-to assess student performance. 1*

One of the most important elements of the Administration's "Race to the Top" competition is its requirement that states permit the use of student achievement data as part of the process of teacher evaluations if they wish to be eligible to compete. This requirement compelled the Indiana General Assembly to include for the first time in the two-year budget passed last June a provision that allowed student performance to be considered explicitly in teacher evaluations. This shows how effective federal incentives can be in influencing state policy in the direction of reform.

To be fair, school principals and administrators deserve some share of the blame for creating such an inflexible and illogical system. After all, they negotiate and agree to the terms of contracts that they sign with the unions. In many cases they do not regularly review teacher performance, or do so in a cursory fashion such that few teachers are ever judged to be unsatisfactory. They have also been slow to adopt data systems that would enable them to more effectively evaluate student (and thus teacher) performance.

We must move to a system that treats teachers as the professionals they are, that recognizes and rewards those who consistently achieve excellent results, that provides effective interventions for those who struggle to do so, and that ultimately removes from the classroom those who over time demonstrate an inability to provide effective instruction. We must be able to pay teachers in high demand areas like science and math more than their counterparts in order to encourage more people with math and science training to become and remain teachers. We must be able to assign the best teachers to the classrooms where they are needed most, and, again, reward them for being there (as well as for achieving positive results). Similarly, we must identify, support and reward excellent school leaders, and give them the authority they need to manage a group of professional teachers effectively with the goal of increasing student learning.

Another important reform element in “Race to the Top” focuses on creating and disseminating new models of schooling. To my mind, the most promising of these efforts lies in the charter school movement. Charter schools are public schools that are independent from the districts in which they operate, and, generally, are not bound by state and local regulations or by contracts between districts and local teachers unions. So, charter schools have the freedom and flexibility to hire and fire staff, develop curriculum to match the needs of students, and otherwise be responsive and accountable to parents and the communities they serve. Charter schools must

be authorized by a designated authority or “sponsor” – for example, in Indiana, charter schools can be authorized by local school boards, the Mayor of Indianapolis, or any of the state’s public institutions of higher education.

Charter schools go part of the way toward meeting the goal of competition and choice that I outlined at the start of this paper. Freed from many of the stifling rules and requirements that bind traditional public schools, charter schools are able to tailor their programs to meet the needs of students and set high standards for their students. Charter schools can have longer school days and school years than traditional schools, something that is especially important for students coming from disadvantaged backgrounds who often need additional time and work to master subject matter.

I strongly support the growth and expansion of charter schools in Indiana and elsewhere across the country. Some 40 states now have laws authorizing the creation of charter schools, and I hope that number will soon reach 50. I believe that the federal government should use its authority to assist charter schools wherever possible. Here again, “Race to the Top” provides an instructive example. The Department of Education is using the RttT grant competition to leverage states to reduce or eliminate any limits on charter schools in their legal code. States that fail to do so may not be eligible to compete for RttT funds or may find their applications lose points that will be used to determine the winners.

“Race to the Top” also invites states to offer ideas and initiatives for turning around “failing schools,” that is, schools that consistently and chronically fail to improve the achievement of their students as measured by state and national assessments. Unfortunately, too many of these schools are concentrated in our nation’s large urban areas and serve overwhelmingly minority and disadvantaged student populations. If we are to have any hope of

eliminating the achievement gap that exists in our country between white and minority students, we must intervene more aggressively in schools that are not providing disadvantaged students with a quality education.

I believe strongly that parents ought to be given the option to leave failing schools. Wealthy parents have the ability to choose where their children go to school, but poor and middle class parents generally do not. This is one of the most unfair and unjust consequences of the ongoing monopoly enjoyed by public schools. The great economist Milton Friedman wrote about this monopoly and its consequences in his famous book, *Free to Choose*. Friedman argued that without competition – the ability for parents and students to choose which schools they wanted to attend – the public school system is under no real pressure to improve performance or provide quality education. As in all other economic endeavors, the discipline of the competitive marketplace is the best way to produce optimal education outcomes. If given a choice, most parents would “vote with their feet” and send their children to high quality schools, even if such schools were not located in their neighborhoods.

Ideally, rather than funding schools and school districts, the government would provide parents with a subsidy to use at the school of their choice, public or private. In addition to promoting quality and achievement, such a system would also encourage schools to be more efficient as they competed on the basis of both quality and cost. Given that overall spending on K-12 education has risen by approximately 50 percent (in real dollars) since 1980 – while achievement scores have largely stagnated – it’s fair to say that competition along both lines would be healthy and productive for our nation’s schools.

School choice does not yet enjoy support among the majority of Americans or Hoosiers. Although it is the right long-term goal for our education system, there are many other reforms to

the current system that can and should be adopted short of choice that would help make our schools more responsive to the needs of parents, students, and communities, and better able to prepare our children for successful employment and citizenship in the 21<sup>st</sup> Century. As I have argued above, the Obama Administration's "Race to the Top" plan has identified a number of such reforms and is actively encouraging states and school districts to adopt them. All of these proposals are controversial and have their detractors. But in general I believe that our schools and, more importantly, our children, would be better off if these reforms were to be adopted.

### **"No Child Left Behind"**

It is not possible for a Congressional candidate to prepare a policy paper on education without commenting on "No Child Left Behind" (NCLB), the federal legislation proposed by President Bush in 2001 and passed with strong bipartisan support by Congress. "No Child Left Behind" has been extremely controversial. Much of the education establishment, numerous policy experts, and even many parents express opposition to the law, especially to its testing (assessment) provisions, and its requirement that schools be rated on the basis of progress made in improving student achievement both in total and among different sub-populations.

These concerns are understandable. As with many pieces of legislation, it's hard to argue with the goals and objectives of NCLB. As President Bush noted at the time, too many of America's neediest children were being "left behind," not receiving the quality education they needed to be successful in life, and trapped in failing schools with no alternatives available to them. The goal of NCLB was to improve the performance of the nation's schools by measuring and holding them accountable for their performance. As a reminder, here is a brief summary of the major elements of NCLB:

- Required all states to establish rigorous standards in math and reading and then annually test all students in grades 3-8 to measure their progress
- Test results would be made public in annual “report cards” that showed how schools and the state overall were performing. School data would be “disaggregated,” i.e. broken down by student race, gender, socio-economic status, etc.
- Schools would be required to make “adequate yearly progress” (AYP) toward the objective of having 100 per cent of students being proficient in math and reading by 2014. Schools failing to meet their AYP goals would be subject to different improvement interventions, restructuring, or even permitting students to attend other schools (modified choice) over time.
- Significantly increased funding for scientifically based reading programs to help ensure that all children could read by grade 3.

NCLB has certainly had some positive results. First and foremost, it focused the country’s attention on the shameful achievement gap that exists between white and minority students, and shed light on what former President Bush eloquently labeled the “soft bigotry of low expectations.” In the years since NCLB has been in place, this achievement gap has been closed dramatically in many parts of the country. NCLB also began the essential practice of analyzing school performance not only on the basis of absolute student achievement, but also on the relative growth in performance of students and schools over time. Among other important benefits, this will allow stakeholders to evaluate the performance of individual teachers and help determine which ones do the best (and worst) job of helping their students learn. Finally, NCLB’s focus on reading is a lasting legacy of the law, forcing states to examine their teaching practices and adopt scientifically-based reading programs, and leading to significant improvements in reading achievement in many states.

However, NCLB has also had its failings. Thoughtful critics of the legislation have noted that many states and localities have tried to “game” the law’s testing and accountability provisions, in order to show progress in improving student achievement and meet the law’s “Annual Yearly Progress” requirements. Some schools and teachers have taken a “teach to the

test” mentality to inappropriate extremes with their students, focusing so hard on preparing them for their yearly assessments that they neglect other important content areas. And NCLB has shown the federal government to be, in reality, incapable of enforcing the “cascade of sanctions” for low-performing schools that the legislation called for. States who have chosen not to impose such sanctions have found countless ways to get around the federal requirements without penalties. States have also, again without any real consequences, “gamed” the NCLB requirements that all teachers in key content areas be “highly qualified,” by watering down their definition of “highly qualified” to the point of uselessness.

The Obama Administration has yet to publicly announce its plans for NCLB. Education Secretary Duncan has acknowledged the law’s problems, especially regarding the watering down of state proficiency standards and results, but has also credited the law with placing an important focus on achievement gaps among students and also moving toward outcome-based measurement and accountability from a prior focus on inputs and resources provided to schools. It is possible that the Obama Administration will tailor its NCLB reauthorization proposal to reflect the key reform elements it has articulated in “Race to the Top.”

In any event, the involvement and financial support of the federal government in our nation’s schools is a reality. It is up to members of Congress, among others, to ensure that federal initiatives and financing are sound, reasonable, and support the efforts of those working in their communities and at the state level to improve the performance of their schools and provide their children with the high quality education they need to be successful in their personal and professional lives as adults.

Most of the hard work of improving our schools must be and is being done on the state and local levels. We must help good teachers be even better, and give them the tools they need

to enforce discipline, and to teach effectively. All federal incentives should be just that- incentives- aimed at rewarding model behavior. At no time should the federal government engage in punitive actions intended to bludgeon the states into submission. Enlightened state policy makers, in tandem with excellent teachers and involved parents, should be supported by the federal government in achieving lofty education goals. Inspiration will go much farther toward achieving an educated, competitive workforce than usurpation.

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