

TO: Biden-Harris Presidential Transition Team
FROM: FutureEd
RE: Policy Proposals—K-12 Education
DATE: November 19, 2020

Who We Are

FutureEd is an independent, solution-oriented think tank at Georgetown University's McCourt School of Public Policy, committed to bringing fresh energy to the causes of excellence, equity and efficiency in K-12 and higher education. We work to improve educational opportunities and outcomes for disadvantaged students. In keeping with that mission, we have developed eight pragmatic federal policy recommendations to address current challenges in public education.

Summary of Policy Recommendations

1. *Build a stronger, more diverse educator workforce*
 - Create a federal 21st Century Teacher Corps. Corps members would teach for three years in a high-poverty Title I school in a school district with an effective teacher evaluation system. In return, members would receive a salary supplement, student loan forgiveness and acquire a national teaching credential.
 - Hold teacher training programs more accountable by requiring disaggregated reporting of their graduates' employment status.
 - Fund the Augustus Hawkins Centers of Excellence Grant Program.
2. *Ensure public schools are safe for all students and staff*
 - Reinstate the Obama Administration's 2014 student discipline guidance.
 - Add a requirement to the Civil Rights Data Collection system that schools report their use of climate surveys.

3. *Ensure student testing is more helpful to classroom teachers*
 - Expand the Innovation Assessment Demonstration Authority pilot and provide funding for technical assistance for states to develop and implement innovative testing systems.
 - Increase funding for the Competitive Grants for State Assessments Program to fund innovations in state testing systems.
 - Utilize the Department of Education's State Testing Peer Review Process to ensure tests are effective.
4. *Promote equity and innovation in public charter schools*
 - Incentivize use of common enrollment systems when awarding Charter Schools Program grants.
 - Update the Charter Schools Program to create a new funding stream for the development of innovative charter school models.
 - Eliminate federal funding of for-profit school management companies.

Why These Reforms Are Needed

This is a difficult moment in the nation's history and we know that the challenges facing your administration are immense. The convergence of a public health crisis, economic collapse, a wrenching racial reckoning and a fractured political landscape have produced tremendous hardship for individuals and institutions, and a painful test of our democratic institutions and national resolve. Our elementary and secondary schools are struggling to contend with these challenges. The Biden-Harris Administration can help schools emerge from this crucible strengthened rather than weakened through reforms that ensure our public education system is providing all children with a high-quality education and preparing them for the workforce of the future.

While much of our education system is designed and controlled by states and local governments, the federal government can take several concrete steps to make America's schools better, safer and more equitable. With nearly 100,000 schools educating some 50 million students, the nation's public education system requires innovative, sustained investment to ensure that students across the country have the opportunities they deserve.^{1,2}

¹ "Number of Educational Institutions, by Level and Control of Institution: Selected Years, 1980-81 through 2017-18." National Center for Education Statistics. 2020. https://nces.ed.gov/programs/digest/d19/tables/dt19_105.50.asp

² "Fast Facts. National Center for Education Statistics." 2020. <https://nces.ed.gov/fastfacts/#>

We propose the following policies in four priority areas: 1) build a stronger, fairly compensated, more diverse educator workforce; 2) ensure public schools are safe for all students and staff; 3) ensure student testing is more helpful to classroom teachers; and 4) expand high-quality public school options for every student. We recognize there are many challenges to address in K-12 education, but our recommendations are a strong place to start. We believe they will improve student success substantially.

POLICY PRIORITY 1: BUILD A STRONGER, MORE DIVERSE EDUCATOR WORKFORCE

Effective educators are critical to student success. In order to ensure a highly effective educator workforce, the Biden-Harris Administration must work to ensure teachers get the compensation they deserve for the difficult jobs they do and create pathways to a more diverse teacher and school leader workforce. Public schools are serving growing numbers of students of color, and research reveals that when students have teachers who look like them, academic achievement rises, disciplinary infractions decline, and more students attend college.

- Black students who had one Black teacher by third grade were 7 percent more likely to graduate from high school and 13 percent more likely to enroll in college, according to research at American University.³
- In North Carolina, Black students were found to be less likely to be subject to exclusionary discipline when they have Black teachers than when they have white teachers, even within the same school, according to American University and University of California, Davis researchers. This is true for suspensions, expulsions and office referrals for “willful defiance.”⁴
- Black teachers are more likely to have high expectations for Black students than are white teachers, American University and Johns Hopkins researchers have found. The same study found that high expectations translate into a better chance that a student will finish high school, attend college, and earn a degree.⁵

Yet Latinx students, the nation’s fastest-growing student population, represented 27 percent of public school enrollment in 2017-18, while 9 percent of teachers were Latinx.

³ Gershenson, Seth, Cassandra M. D. Hart, Joshua Hyman, Constance Lindsay, and Nicholas W. Papageorge. 2018. “The Long-Run Impacts of Same-Race Teachers.” National Bureau of Economic Research Working Paper Series. Working Paper 25254. <http://www.nber.org/papers/w25254/>

⁴ Lindsay, Constance A., and Cassandra M. D. Hart. 2018. “Exposure to Same-Race Teachers and Student Disciplinary Outcomes for Black Students in North Carolina.” *Educational Evaluation and Policy Analysis* 39 (3), 485-510. <http://journals.sagepub.com/doi/abs/10.3102/0162373717693109>

⁵ Gershenson, Seth, Stephen Holt, and Nicholas Papageorge. 2016. “Who Believes Me? The Effect of Student-Teacher Demographic Match on Teachers’ Beliefs.” *Economics of Education Review*, 52: 209-224. <https://www.sciencedirect.com/science/article/abs/pii/S0272775715300959>

Similarly, Black students comprised 15 percent of public school enrollment in 2017-18, but 7 percent of teachers were Black.^{6,7}

Federal education policy should leverage these insights to support the nation's students of color and other traditionally underserved student populations, especially given the need to address long-standing structural racism in many of our institutions, including our schools.

POLICY RECOMMENDATION: Create a 21st Century Teacher Corps

Establishing a modern-day Teacher Corps would be an important step toward creating a stronger, better compensated, more diverse teaching force. A federal Teacher Corps would send a powerful signal about the importance of the teaching profession by reducing Corps members' college debt and providing them stipends based on their years of service. In return, members would teach in high-poverty school systems committed to rigorous teacher standards, competitive compensation, and greater educational equity. It would provide a new avenue for talented individuals from diverse backgrounds to enter the profession and encourage school districts to put in place policies and practices needed to elevate the teaching profession.

Currently, many teachers—especially teachers of color—leave the profession because their low salaries and high student debt make teaching unsustainable.

- According to the National Center for Education Statistics, the average public-school teacher salary for the 2018-19 school year was \$61,730. In some states it was under \$50,000.⁸
- According to the National Center for Education Statistics, in the 2017-18 school year the average base salary for Black teachers was \$1,400 less than for white teachers.⁹

⁶ Racial/Ethnic Enrollment in Public Schools. 2020. National Center for Education Statistics. https://nces.ed.gov/programs/coe/indicator_cge.asp

⁷ Race and Ethnicity of Public School Teachers and Their Students. 2020. National Center for Education Statistics. <https://nces.ed.gov/datapoints/2020103.asp>

⁸ "Estimated average annual salary of teachers in public elementary and secondary schools, by state: Selected years, 1969-70 through 2018-19." https://nces.ed.gov/programs/digest/d19/tables/dt19_211.60.asp?current=yes

⁹ https://nces.ed.gov/programs/coe/indicator_clr.asp

- The Learning Policy Institute reports that teachers with bachelor’s degrees have an average of \$20,000 in student loan debt. Those with masters’ degrees have an average of \$50,000 in loan debt.¹⁰ Black teachers hold \$12,743 more of undergraduate student loan debt, including principal and interest, than their white peers, according to data from the National Center for Education Statistics’ Baccalaureate and Beyond Longitudinal study. Forty-seven percent of Black teachers take out student loans for graduate school compared to only 26 percent of white teachers, the study found.¹¹
- Eighteen percent of teachers report financial reasons as an “extremely important factor” for leaving the profession and Black teachers exit at higher rates than their non-Black peers.¹²
- Only eight states extend comprehensive teacher licensing reciprocity, making fully licensed out-of-state teachers immediately eligible to receive standard teaching licenses, regardless of how long they have been teaching.¹³
- One in 10 teachers nationally who leave their jobs for non-retirement reasons report that a lack of licensing reciprocity is an extremely important or a very important reason for their departure, according to a U.S. Department of Education survey.¹⁴

Components of the Teacher Corps

- Corps members serve for three years, teaching in high-poverty Title I schools.
 - Corps members receive a \$10,000 annual salary supplement.
 - Corps members have their college debt forgiven—up to \$25,000 in student debt for individuals with household incomes under \$100,000, and 100 percent of debt for students who attended minority-serving institutions.
- Corps members acquire a national teaching credential, freeing them to move across state lines.
- Corps members are placed in school districts and states with effective teacher evaluation systems. These systems, should be standards-based and use diverse measures to evaluate teachers, including multiple observations by multiple evaluators, an analysis of teachers’ contributions to student achievement when

¹⁰ Kini, Tara, and Anne Podolsky. “How Effective Are Loan Forgiveness and Service Scholarships for Recruiting Teachers?” 2016. Learning Policy Institute. https://learningpolicyinstitute.org/sites/default/files/product-files/How_Effective_Are-Loan_Forgiveness_and_Service-Scholarships_Recruiting_Teachers.pdf

¹¹ Fiddiman, Bayliss, Colleen Campbell, and Lisette Partelow. “Student Debt: An Overlooked Barrier to Increasing Teacher Diversity.” 2019. Center for American Progress. <https://www.americanprogress.org/issues/education-postsecondary/reports/2019/07/09/471850/student-debt-overlooked-barrier-increasing-teacher-diversity/>

¹² Carver-Thomas, Desiree, and Linda Darling-Hammond. “Teacher Turnover: Why It Matters and What We Can Do About It.” 2017. Learning Policy Institute. https://learningpolicyinstitute.org/sites/default/files/product-files/Teacher_Turnover_REPORT.pdf

¹³ <https://www.ecs.org/50-state-comparison-teacher-license-reciprocity/>

¹⁴ https://learningpolicyinstitute.org/sites/default/files/product-files/Long_View_REPORT.pdf

such data are available, and student surveys. While the Every Student Succeeds Act (ESSA) ends federal mandates on teacher evaluations, the Teacher and Leader Incentive Fund, authorized under ESSA, uses federal grants to provide incentives for states and districts to develop and implement performance-based compensation systems.¹⁵

- Corps members can be experienced teachers selected by qualifying school districts from their current teacher workforce, based on a specific set of quality standards, or can be recruited into the Corps as new teachers.

There are several vehicles the Biden-Harris Administration can use to advance a 21st Century Teacher Corps. It could propose stand-alone legislation, in collaboration with Congress. The program could be added to ESSA, the K-12 education law, when it is next reauthorized. Alternatively, it could be included in Title II of the Higher Education Act reauthorization legislation. The original Higher Education Act of 1965 included a National Teacher Corps. An alternative approach could be to create and fund a separate teacher corps in AmeriCorps when Congress reauthorizes the Serve America Act.

In the short term, the Department of Education could use several existing competitive grant programs to fund components of the Teacher Corps, proposing funding increases for the programs in the Administration's budget, and then using Department of Education grant criteria to incentivize states and school districts to implement components of the corps.

Both the Every Student Succeeds Act and the Higher Education Act authorize relevant grant programs: *Teacher Quality Partnership Grants* provide competitive funding to states to improve the quality of new teachers by creating partnerships among institutions of higher education and high-need districts;¹⁶ *Teacher and School Leader Incentive Grants* provide competitive grants to states, districts or partnerships involving nonprofit organizations to support performance-based educator programs or human capital management systems;¹⁷ and *The Supporting Effective Educator Development (SEED) Grants* provide competitive funding to national nonprofit organizations and districts for projects to recruit, select, prepare, and provide professional development for teachers or school leaders.¹⁸

¹⁵ Every Student Succeeds Act, P.L. 114-95 (2015), Sections 2211-2213

¹⁶ Higher Education Opportunity Act, P.L. 110-315 (2008), Title II, Part A, Sections 201-204

¹⁷ Every Student Succeeds Act, P.L. 114-95 (2015), Sections 2211-2213

¹⁸ Every Student Succeeds Act, P.L. 114-95 (2015), Section 2242

POLICY RECOMMENDATION: Support Diverse Teacher and School Leader Pipelines

Federal higher education laws should ensure that federally funded teacher-preparation programs are working toward the creation of a more diverse educator workforce. The Higher Education Act (HEA) plays a critical role in holding teacher-preparation programs accountable, and its reauthorization is overdue.

Currently, Title II of HEA requires reporting based more on inputs than on outcomes and provides a more general overview of the student population. To encourage teacher-preparation programs to increase the representation of teachers of color in the educator pipeline, the Biden-Harris Administration should work with Congress to require teacher-preparation programs to report the graduation and certification rates of their students disaggregated by race, ethnicity, gender and Pell Grant status. In addition, programs should be required to demonstrate how their graduates are contributing to the educator workforce by providing disaggregated reporting on outcomes such as the percentage of their graduates teaching in Title I schools and retention rates once their graduates start teaching.

The federal government should also use grant monies to incentivize teacher-preparation programs to admit and graduate high-achieving students of color, including by prioritizing funding for programs at minority-serving institutions.

- Minority-serving institutions make up only 13 percent of all the teacher-preparation programs in the United States.¹⁹

One way to increase the number of teachers of color is to fund The Augustus Hawkins Centers of Excellence Grant Program, which was authorized in the Higher Education Act of 2008 but never funded.²⁰ The program would provide competitive grants to teacher-preparation programs at minority-serving institutions.

POLICY PRIORITY 2: MAKE SCHOOLS SAFE FOR STUDENTS AND EDUCATORS

Our leaders have a responsibility to ensure our nation's public schools are safe for every student, teacher and administrator. A safe, welcoming school climate is essential to improving academic achievement, including improving attendance rates and the likelihood of graduation. It can also reduce bullying and school violence and enhance students' motivation to learn.

¹⁹ Will, Madeline. "Let Minority-Serving Colleges Be a Model for Teacher Prep, Report Says." 2019. Education Week. http://blogs.edweek.org/edweek/teacherbeat/2019/03/minority_serving_colleges_teacher_prep.html

²⁰ 20 U.S. Code § 1033a, Honorable Augustus F. Hawkins Center of Excellence under Title 20 of the U.S. Code.

- In schools where students feel safe and welcome, they are more likely to earn good grades and graduate from high school, according to a report by the National School Climate Center.²¹
- A poor school climate is linked to increased absenteeism, according to a 2016 study by Johns Hopkins and Arizona State Universities.²² A recent University of Oklahoma study using surveys in New York City found improvement in attendance when students have better perceptions of school climate.²³
- Researchers from Harvard and Brown Universities studied more than 330,000 students in 278 public middle schools in New York City over five years and found students at schools with better school climates and perceptions of safety had larger achievement gains in both math and English language arts.^{24,25}

While school climate is clearly a local issue, there are steps the federal government can take to support state and local efforts to strengthen school learning environments.

POLICY RECOMMENDATION: End Inequitable Discipline Practices

The Biden-Harris Administration should restore the Obama-era 2014 discipline guidance to stop schools from discriminating on the basis of race, color or national origin when disciplining students. Data from the U.S. Department of Education’s Office for Civil Rights shows that students of color are disproportionately suspended, expelled, or referred to law enforcement as compared to white students.

- During the 2015-16 school year, Black students made up 15 percent of total enrolled students but comprised 31 percent of students referred to law enforcement or who had school-related arrests. Black males made up 8 percent of male enrollment but 25 percent of male out-of-school suspensions and 23 percent of male expulsions. Similarly, Black females made up 8 percent of female enrollment but 14 percent of out-of-school suspensions and 10 percent of female expulsions.²⁶

²¹ Thapa, A. 2013. “School Climate Research.” In Dary, T. & Pickeral, T. (ed) (2013). *School Climate Practices for Implementation and Sustainability*. A School Climate Practice Brief, Number 1, New York, NY: National School Climate Center.

²² Hamlin, D., 2020. “Can a Positive School Climate Promote Student Attendance? Evidence From New York City.” *American Educational Research Journal*. May 2020. doi:[10.3102/0002831220924037](https://doi.org/10.3102/0002831220924037)

²³ Van Eck, Kathryn, Stacy R. Johnson, Amie Bettencourt, and Sarah Lindstrom Johnson. “How School Climate Relates to Chronic Absence: A Multi-level Latent Profile Analysis.” *Journal of School Psychology* 61 (November 23, 2016): 89-102. doi:10.1016/j.jsp.2016.10.001. <https://www.sciencedirect.com/science/article/pii/S0022440516300607>

²⁴ Hennessey, Jess. 2017. “School Climate: A Tool to Improve Student Outcomes and Reduce Teacher Turnover.” <http://mindsetscholarsnetwork.org/wp-content/uploads/2017/02/Matthew-Kraft-School-Climate-Brief.pdf>

²⁵ Kraft M.A, W.M. Marinell, and D. Yee. 2016. “School Organizational Contexts, Teacher Turnover, and Student Achievement: Evidence from Panel Data.” *American Educational Research Journal* [Internet]. 53 (5) :1411-1499.

²⁶ “2015-16 Civil Rights Data Collection: School Climate and Safety.” U.S. Department of Education. 2018. <https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>.

Note: The October 2020 release of 2017-18 Civil Rights Data Collection did not include a report on national trends of the school discipline data.

To reduce these differences, the Obama Administration in 2014 issued guidance allowing school disciplinary practices that disproportionately impact students of color to be considered discriminatory under federal law.²⁷ In December 2018, the Trump Administration rescinded the guidance.²⁸

POLICY RECOMMENDATION: Incentivize Schools' Use of Climate Surveys

The Biden-Harris Administration should further expand schools' focus on climate by adding a reporting requirement to the Education Department's Civil Rights Data Collection (CRDC) for the percentage of students, teachers and staff taking climate surveys. The CRDC includes leading civil rights indicators related to access and barriers to educational opportunity from early childhood through grade 12. The Department of Education should add the climate survey measure to their reporting requirements for school districts.²⁹

A growing number of schools are surveying students and teachers to gauge how safe students feel at school, whether students believe they are valued and supported, how confident they are as learners, and other social and emotional markers of school success. Several school-climate surveys have emerged in recent years, including a suite of free instruments for schools, districts and states developed by the U.S. Department of Education under the Obama Administration.³⁰

The Education Department survey and others measure such things as physical and emotional safety, bullying and cyberbullying, relationships among students and teachers, academic engagement, physical and mental health and school discipline. We believe it is important for schools to have this data and be aware of the trends in their schools in order to address any issues. These measures are particularly valuable in gauging the impact of the pandemic on students and in helping schools respond to long-standing discriminatory treatment of students of color, whether students are learning in person or remotely.

Often, these surveys show that Black and Latinx students feel less valued and are less likely to succeed at school than other students. What's more, the students' sense of belonging, of being valued members of their school communities, declined sharply the longer students were in school, according to the surveys. Given what surveys tell us

²⁷ "Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline." Civil Rights Division, U.S. Department of Justice; Office for Civil Rights, U.S. Department of Education. 2014. <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>

²⁸ "Dear Colleague Letter." Civil Rights Division, U.S. Department of Justice; Office for Civil Rights, U.S. Department of Education. 2018. <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201812.pdf>

²⁹ Section 203(c)(1) of the 1979 Department of Education Organization Act conveys to the Assistant Secretary for Civil Rights the authority to "collect or coordinate the collection of data necessary to ensure compliance with civil rights laws within the jurisdiction of the Office for Civil Rights." 20 U.S.C. § 3413(c)(1)

³⁰ Jordan, Phyllis W. and Laura S. Hamilton, "Walking a Fine Line: School Climate Surveys in State ESSA Plans," FutureEd, December 2019, <https://www.future-ed.org/school-climate-surveys-in-state-essa-plans/>. The Education Department School Climate Survey can be found at <https://nces.ed.gov/surveys/edscls/questionnaires.asp>.

about the experience of Black and Latinx students, these instruments provide important insights into civil rights concerns.

- 2018 report led by Martin West of the Harvard Graduate School of Education evaluated survey results for about 400,000 students in California’s CORE Districts in 2015 and 2016. They found that Black and Latinx students recorded lower scores in “self-efficacy” and were less likely to exhibit a growth mindset, which is correlated with student motivation.³¹
- In 2017, in the Fresno Unified School District, 82 percent of Latinx 4th-graders and 76 percent of Black 4th-graders felt they were valued in their schools, but only 52 percent of Latinx 9th-graders and 44 percent of Black 9th-graders shared that perspective, suggesting that the students’ sense of belonging diminished the longer they were in school.³²

This additional requirement should not be a difficult burden for school districts, since most states already offer schools a range of surveys and many require annual reporting. We do not recommend that schools or districts be evaluated on the actual results of the surveys, since researchers are not yet convinced such findings are appropriate for high-stakes accountability.³³ However, it is important that students and staff members take the surveys to help administrators guide school improvement.

POLICY PRIORITY 3: MAKE TESTS MORE HELPFUL TO TEACHERS

Over the years, standardized testing has provided school reformers and state and federal policymakers a sense of the return on a national investment in public education that reached \$680 billion in 2019. Standardized test results are also used to spur school improvement and to ensure the educational needs of traditionally underserved students are met. Without assessment, policymakers have no way of knowing whether schools and districts are doing a good job serving students. Furthermore, testing is part of the equation that determines where the federal government targets its school-improvement aid, helping to ensure that support reaches the neediest schools.

- When the Obama Administration invested \$7 billion in struggling schools through the School Improvement Grants program, which used standardized test scores as its primary mechanism for identifying low-performing schools, researchers in several states found that test scores and other academic outcomes improved.³⁴

³¹ West, Martin R., Libby Pier, Hans Fricke, Heather Hough, Susanna Loeb, Robert H. Meyer, and Andrew B. Rice. 2018. “Trends in Student Social Emotional Learning: Evidence from the CORE Districts,” Policy Analysis for California Education, pp. 8, 13. <https://eric.ed.gov/?id=ED591084>

³² Toch, Thomas and Raegan Miller. 2019. “CORE Lessons: Measuring the Social and Emotional Dimensions of Student Success,” FutureEd, February 2019, <https://www.future-ed.org/core-lessons-measuring-the-social-and-emotional-dimensions-of-student-success/>

³³ Jordan and Hamilton, op. cit.

³⁴ Ginsburg, Alan and Marshall S. Smith, “Revisiting SIG: Why Critics Are Wrong to Write Off the Federal School Improvement Grant Program,” FutureEd, October 2018, <https://www.future-ed.org/why-its-wrong-to-write-off-the-federal-sig-program/>.

Despite the benefits, pressure to reduce testing in the nation's public schools has been building from many sources, including educators who support testing but don't believe current regimes are helpful to their day-to-day work in classrooms. We know that as a presidential candidate, Joe Biden was critical of standardized testing, and we understand that the current assessment system needs to be improved. We urge the Biden-Harris Administration to focus on improving rather than eliminating testing by encouraging the development of a new generation of assessments that are more valuable to both teachers and parents.

Specifically, during a school year when many schools are using distance learning or taking a hybrid approach, we believe that ESSA testing requirements should remain in place where possible. In the wake of the coronavirus outbreak and with the Trump Administration's support, states in 2020 suspended student testing required by ESSA. However, Secretary of Education DeVos informed states at the beginning of this school year that they should not count on getting a second round of waivers from federal testing mandates in 2021.³⁵

We believe that a Biden-Harris Administration should not issue waivers except where the pandemic has made large-scale testing unworkable. There is value in having a system-level portrait of student achievement during the pandemic. However, given the pandemic's disruption of the education sector, the administration should discourage states from using the 2021 results to evaluate schools or teachers, using the information only for planning purposes.

POLICY RECOMMENDATION: Support Next Generation Assessments

While state and local school districts must make their own determinations about tests, there are several ways the Biden-Harris Administration can make testing more helpful to the nation's teachers. These include supporting innovations that produce more timely and useful information for instruction, including tests more closely linked to the curricula that teachers actually teach; fostering closer coordination between state and district testing to increase coherence and eliminate redundancy; and incentivizing score reports that are teacher- and parent-friendly. There are several mechanisms that the Department of Education can use to support states and local school districts in these efforts.

The Innovative Assessment Demonstration Authority

Congress established the Innovative Assessment Demonstration Authority (IADA) under the Every Student Succeeds Act to support states wanting to pilot new and innovative

³⁵ Letter to Chief State School Officers from U.S. Secretary of Education Betsy DeVos. September 3, 2020. <https://blogs.edweek.org/edweek/campaign-k-12/Secretary%20DeVos%20Letter%20to%20CSSOs%2009%2003%202020.pdf>

testing systems.³⁶ The IADA provides participating states the opportunity to pilot new, innovative approaches to assessment in lieu of the statewide assessments required under Title I, Section 1111(b)(2), and to use the results from those assessments to inform accountability determinations required under Title I, Section 1111(b)(3).³⁷ The pilot was initially limited to only seven states and failed to provide funding to support the states in designing or implementing innovations.

The Biden-Harris Administration should support the expansion of the pilot, which launched in the 2018-19 school year, and propose funding for technical assistance for states to develop and implement innovative testing systems. Under ESSA, the Secretary of Education may open the application to additional states once the education department releases a progress report on the program's first three years.³⁸

The Biden-Harris Administration should also request additional Department of Education funding to help states improve their testing systems. That funding can be used to provide further support to the states participating in the pilot program.

The Competitive Grants for State Assessments Program

In the same way, the Biden-Harris Administration can use the U.S. Department of Education's Competitive Grants for State Assessments program to fund innovations in state testing systems, including better diagnostic tests to determine learning needs stemming from the closure of schools during the coronavirus pandemic; assessments more closely tied to classroom instruction and curricula that provide actionable information for teachers; and reviews of state and district testing systems to increase coherence and eliminate outdated or unnecessary testing.³⁹

The Biden-Harris Administration should include an increase in funding for these grants in its Department of Education budget request. (In contrast, the Trump Administration's budget proposal would have eliminated funding for this program). The state assessments grant program supports efforts by states and consortia of states to improve their student assessment systems under six allowable uses: 1) Develop or improve assessments for English learners (ELs), including assessments of English language proficiency and assessments administered in non-English languages; 2) Develop or improve models for measuring and assessing student progress or student academic growth on state assessments; 3) Develop or improve assessments for children with disabilities, including alternate assessments for children with the most significant disabilities and methods for employing principles of universal design for learning; 4) Collaborate with institutions of higher education to improve the quality, reliability and validity of assessments beyond the requirements of ESSA; 5) Develop systems for measuring student academic achievement using multiple measures of that achievement gleaned from multiple sources; or 6) Develop comprehensive academic assessment

³⁶ Every Student Succeeds Act, P.L. 114-95 (2015), Section 1204

³⁷ The regulations can be found at <https://www.govinfo.gov/content/pkg/FR-2016-12-08/pdf/2016-29126.pdf>

³⁸ Every Student Succeeds Act, P.L. 114-95 (2015), Section 1204(d)

³⁹ Every Student Succeeds Act, P.L. 114-95 (2015), Title I, Part B, Section 1201

instruments (such as performance- and technology-based assessments, computer-adaptive assessments or extended-performance-task assessments) that emphasize the mastery of standards and aligned competencies in a competency-based education model.

The Trump Administration used this grant funding to support states in applying for, and implementing, innovative assessments under the IADA pilot program. The Biden-Harris Administration can request additional funding to both encourage states to apply and support states in implementing the IADA pilot, as well as to help states develop and implement next-generation assessments.

The Department of Education's State Testing Peer Review Process

The Biden-Harris Administration has a third lever for improving state assessments: the Department of Education's system of peer reviewing new or significantly modified state testing systems. The purpose of the peer review is to support states in meeting statutory and regulatory requirements under Title I of ESSA. Under sections 1111(a)(4) and 1111(b)(2)(B)(iii)-(iv) of ESSA and 34 CFR § 200.2(b)(4) and (5) and (d), the department has an obligation to conduct a peer review of the technical quality of state assessment systems implemented under section 1111(b)(2) of ESSA.⁴⁰

The incoming Department of Education can influence this process through its selection of peer reviewers, as well as by issuing guidance requiring high standards of evidence and an approval process that aligns with the goals of effective and innovative assessments. The Biden-Harris Administration should use this authority to ensure states are doing the right thing for students, teachers, and families. It should, for example, ensure more timely and more teacher- and parent-friendly score reports by making that a component of the department's peer review process.

POLICY PRIORITY 4: PROMOTE EQUITY AND INNOVATION IN PUBLIC CHARTER SCHOOLS

Supporting educational innovation should play a significant role in federal funding decisions for schools, especially as schools struggle to respond to the coronavirus pandemic. Charter schools were created, in part, to bring innovation to the nation's public-school system, and the federal government should encourage charter schools to double down on that mission.

At their best, charter schools produce significant increases in student learning that the Biden-Harris Administration should seek to extend to traditional public schools.

- The KIPP charter school network, for example, combines high academic standards and extensive student supports in an educational model that serves more than 100,000 mostly low-income Black and Latinx students in 255 schools

⁴⁰The peer review follows this guidance issued in 2018 by the Department of Education, <https://www2.ed.gov/admins/lead/account/saa/assessmentpeerreview.pdf>

across 17 states. A recent study tracking the network’s middle school students found that KIPP schools doubled the percentage of students scoring in the top quartile on a national test of reading and math between the beginning of 5th grade and the end of 8th grade, from 15 to 30 percent. Likewise, they reduced by half, from 30 to 15 percent, the percentage of students scoring in the lowest quartile.⁴¹

At the same time, charter schools—like all public schools—must serve all students equitably. The federal government should help ensure charter schools fulfill that responsibility through its implementation of the federal Charter Schools Program (CSP), the main policy lever for the federal government to impact charter school policy.⁴²

POLICY RECOMMENDATION: Incentivize Use of Common Enrollment Systems

Common enrollment systems allow families to select traditional public schools or charter public schools in their cities or school districts using a single application system that deploys algorithms to match as many students as possible to their preferred schools—an innovation that makes public school choice systems fairer for families and helps both charter schools and traditional schools plan more effectively.

- When the New York City Department of Education became the first major school system to introduce an algorithm-based single-application system, the number of students attending high schools they hadn’t expressed a preference for declined from 35,000 to 791 students in six years, instances of favoritism were largely eliminated, and the city’s graduation rate increased from 43 percent to 56 percent.⁴³

While it is up to local school districts to determine their own enrollment systems, the federal government can help ensure that all students—regardless of their family circumstances—have an equal opportunity to take advantage of public-school choice programs. The Department of Education should give priority to CSP grant applications from states where charter schools are part of common enrollment systems.

POLICY RECOMMENDATION: Update the Charter Schools Program to Include Innovation Grants

The Biden-Harris Administration can support innovations through its awarding of CSP grants, and Congress can take steps during the next ESSA reauthorization to reform the law. Currently, CSP has three main competitive grant programs: 1) Grants to State Entities, which allows state entities to provide subgrants to applicants seeking to create, expand or replicate charters schools; 2) Grants to Charter School Developers, which

⁴¹ <https://www.kipp.org/results/national/#question-3:-are-our-students-progressing-and-achieving-academically>

⁴² Every Student Succeeds Act, P.L. 114-95 (2015), Section 4301

⁴³ Toch, Thomas and Chad Aldeman, “Matchmaking: Enabling Mandatory Public School Choice In New York and Boston,” Education Sector, 2009, <https://www.air.org/sites/default/files/publications/ChoiceMatching.pdf>. See also, Toch, Thomas. “Common Lotteries and the Future of Urban Public Education,” FutureEd, 2019. <https://www.future-ed.org/common-lotteries-and-the-future-of-urban-public-education/>

provides grants directly to applicants proposing to open a new charter school in a state that does not currently have a state entity grant; and 3) Grants for Replication and Expansion of High-Quality Charter Schools, known as the CMO program, which provides grants to CMOs from any state to open more charter schools in their networks.

The grant program should be modernized in the next ESSA reauthorization to create a funding stream for the development of innovative charter school models. This new strand of funding should support creative teaching strategies, innovative school staffing models, school-community partnerships, new ways of serving special student populations, and other innovations that can be adopted by traditional public schools. In the meantime, utilizing current law, the Biden-Harris Administration can set federal grant criteria—through CSP and Education Innovation and Research funding (EIR)—to ensure that funding for charter schools incentivizes innovative models.⁴⁴

POLICY RECOMMENDATION: Eliminate Funding of For-Profit School Management Companies

CSP forbids for-profit operators from receiving federal grants directly. Nevertheless, federal money often benefits for-profit school management companies that contract with charter boards to run both brick-and-mortar and online schools. That practice should end in order to strengthen the financial and educational integrity of the federal investment in charter schools. The U.S. Department of Education should prohibit schools receiving funding under CSP from contracting with for-profit school management companies.

Conclusion

The first step in implementing federal policies that strengthen our nation's public schools is to ensure that the leaders of the U.S. Department of Education, from the secretary down, are committed to educational equity and to finding innovative solutions to the unprecedented challenges our schools are facing today. We appreciate the Biden-Harris Administration's consideration of these proposals and would be happy to discuss them further.

Contact Information

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⁴⁴ Every Student Succeeds Act, P.L. 114-95 (2015), Section 4611