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Date: Thu, 1/26/2012 5:38:54 PM

Subject: Washington insiders favor ESEA flexibility in theory but not inreality

FYI

Washington insiders favor ESEA flexibility in theory but not in reality

yes [Michael J. Petrilli](#) / January 26, 2012

Everybody in Washington claims they favor more flexibility in federal education policy. They want to be “tight on results” and “loose on how to get there.” They agree that No Child Left Behind “went too far” in putting Uncle Sam in the middle of complicated and nuanced decisions.

Or so they say, until push comes to shove. And then many of the players discover that they don’t like flexibility after all. They want to change federal policy in theory but not in reality.

It’s not just the President’s bizarre State of the Union request that states raise their compulsory attendance age to 18. (Perhaps that would help to trim the dropout rate, though [the studies](#) suggesting so rely on 40-year-old data.) I’m assuming that he was merely using the bully pulpit to promote a pet idea, not suggesting a new federal mandate.

No, I’m referring to the [Army of the Potomac’s reaction](#) to John Kline’s ESEA proposal and to Chairman Tom Harkin’s and Rep. George Miller’s [response](#) to the waiver requests put forward by several states.

In both cases, we hear somber leaders express concern that the moves will “undermine the core American value of equality of opportunity in education” and move away from “the critically important gains for our students’ civil rights and educational equity that NCLB achieved.”

So what’s the beef? See this from Harkin’s and Miller’s [letter](#) to Arne Duncan about the waiver requests:

In its [analysis](#) of the eleven waiver applications, the Center on Education Policy found that nine state applicants will base almost all accountability decisions on the achievement of only two students groups; i.e., all students and a “disadvantaged” student group or “super subgroup.” We fear that putting students with disabilities, English language learners and minority students into one “super subgroup” will mask the individual needs of these distinct student subgroups and will prevent schools from tailoring interventions appropriately. Therefore, we urge you to consider each applicant’s subgroup performance measures as significant and coherent components of overall accountability and require applicants to articulate meaningful and effective interventions for schools that are low performing or have subgroups that fail to progress.”

There’s a name for what Harkin and Miller are calling for: the Adequate Yearly Progress system. This is exactly what

we've got now! So they seem to be saying: "We favor flexibility, as long as nothing really changes."
There are two debates going on here. One is over the policy specifics; for example, are "super subgroups" a good idea? The second is over power and control: Who should get to decide if super subgroups are a reasonable way forward? If your answer to the second question is "Uncle Sam" then you're not really a proponent of state flexibility after all. Lefty reformers, civil rights groups, Chairman Harkin, and Representative Miller: I'm talking about you.

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