SECOND REGULAR SESSION

House Concurrent Resolution No. 51

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LAMPE (Sponsor), HARRIS, ROORDA, WALTON GRAY, WEBB, FISCHER (107), LOW, STILL AND SCHIEFFER (Co-sponsors).

3700L.01I

Whereas, the federal No Child Left Behind Act (NCLB Act), the 2002 reauthorization of the Elementary and Secondary Education Act of 1965, has valuable stated goals of closing achievement gaps, reducing high school dropouts, proclaiming that every child can learn, challenging every child to dream a bright future, and preparing all children to contribute to society; and

Whereas, its implementation has, despite these laudable goals, in reality undermined the capacity of public schools, especially those serving very poor children and demographically complex populations; and

Whereas, the NCLB Act overemphasizes standardized testing as the sole indicator of student achievement; and

Whereas, the NCLB Act forces schools to narrow curriculum and to focus on the tested skills of reading and math, thereby reducing time spent on the arts, social studies, and the humanities; and

Whereas, the Adequate Yearly Progress rankings in the NCLB Act fail to acknowledge educational growth of particular children and instead measures whether subgroups of children reach particular test score benchmarks; and

Whereas, the NCLB Act mandates that schools are labeled "in need of improvement" on the basis that test scores fail to reach named benchmarks even when subgroup list scores show significant progress; and

Whereas, the NCLB Act dictates that schools focus educational efforts on the children whose scores are at grade level thresholds, leaving children who score at extremely low levels even further behind; and

Whereas, the NCLB Act pushes low-scoring high school students into GED programs where their scores will not count against the school or school district and leaves the needs of gifted and talented students unmet; and

Whereas, English Language Learners are required to take tests in English after only a year in the United States; and

Whereas, the testing requirements for special needs students are not coordinated with their Individualized Education Programs (IEPs), placing these students at risk; and

Whereas, the NCLB Act sets reconstitution of staff, charterization, and state takeover as the final sanctions for schools "in need of improvement" in the fifth year; and

Whereas, the NCLB Act remains underfunded by the federal government by over $40 billion from what was authorized when the NCLB Act was signed in 2002; and

Whereas, each individual state is allowed to establish its own level of proficient performance, resulting in a lack of consistency from state to state in terms of the required standards for students to meet Adequate Yearly Progress; and

Whereas, the United States Constitution is silent on the subject of authorization, funding, or organizing public education, while the Constitution of the State of Missouri explicitly authorizes funds and organizes free public schools in the state; and

Whereas, the federal government, by its enactment of the No Child Left Behind Act, has violated and remains in violation of the rights of the several states as protected by the Tenth Amendment of the United States Constitution:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-fifth General Assembly, Second Regular Session, the Senate concurring therein, hereby request that the Missouri Congressional delegation oppose the reauthorization of No Child Left Behind in 2009; and

Be it further resolved that the Missouri General Assembly affirms that the State of Missouri, our teachers, our schools, and our communities would be better served by a return to the Missouri School Improvement Program and our commitment to increase capacity in the Missouri Department of Elementary and Secondary Education to support district and school leadership, assist teachers with effective ongoing staff development, and fully fund our constitutional obligation to public education; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama and each member of the Missouri Congressional delegation.