
SENATE JOINT MEMORIAL 8011

State of Washington 60th Legislature 2007 Regular Session

By Senators McAuliffe, Clements, Rasmussen, Eide, Oemig, Sheldon, Shin, Kline and Tom; by request of Superintendent of Public Instruction

Read first time 02/01/2007. Referred to Committee on Early Learning & K-12 Education.

1 TO THE HONORABLE GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES,
2 AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE GOVERNOR OF THE STATE
5 OF WASHINGTON:

6 We, your Memorialists, the Senate and House of Representatives of
7 the State of Washington, in legislative session assembled, respectfully
8 represent and petition as follows:

9 WHEREAS, Washington State supports, believes in, and has been
10 diligently working on the attainment of the goals of the No Child Left
11 Behind legislation, all students achieving at high levels; and

12 WHEREAS, The state welcomes the additional support No Child Left
13 Behind has brought to focus on quality education, the improvements
14 needed to reach all children, and the urgency nationwide to close
15 achievement gaps; and

16 WHEREAS, The state supports a fair, feasible, and creditable
17 accountability system; and

18 WHEREAS, Washington State has attained approval and is in
19 compliance with the requirements provided in the regulations; and

1 WHEREAS, The reauthorization of the No Child Left Behind
2 legislation will provide the opportunity for essential changes to be
3 made to reach the goals and purposes of the law; and

4 WHEREAS, The No Child Left Behind Act represents the most sweeping
5 federal intrusion into state and local control of education, which
6 violates the time-honored American principle of balanced federalism and
7 respect for state and local prerogative, especially in the area of
8 education and has had the effect of curtailing additional state
9 innovations and successful reform efforts previously underway; and

10 WHEREAS, Students with limited English proficiency are in a program
11 because they cannot speak, read, or write English and they must be
12 provided appropriate and valid measures for accountability that are not
13 included in the overall accountability until such students develop
14 English academic language proficiency, for a period of not more than
15 three years; and

16 WHEREAS, Students with disabilities need appropriate assessments
17 that meet the requirements of the Individuals with Disabilities
18 Education Act (IDEA), are aligned with their individual educational
19 plans, and tested according to students' ability and not limited to
20 their grade level; and

21 WHEREAS, All students, all schools, and all districts do not
22 improve on a uniform basis across any state as required by the state
23 uniform bar, so the state uniform bar should be replaced with realistic
24 requirements for continuous growth and improvement based on required
25 yearly percentage increases in performance at the school, district, and
26 state levels, which would provide fairness to accountability and an
27 increased motivation for very low and very high performing schools; and

28 WHEREAS, The Act imposes a significant testing burden on states,
29 schools, and districts and unless appropriate federal funding is
30 provided for administering and scoring quality large scale assessments
31 in the new grade levels required, states should be allowed to continue
32 to assess students annually in selected grades in elementary schools,
33 middle schools, and high schools and even if funding is provided for
34 these assessments in the new grade levels, states should be able to use
35 that funding to assess students in a variety of ways that would inform
36 improvements in instruction but would not have to meet the extensive
37 technical standards now required; and

1 WHEREAS, The adequate yearly progress provisions are overly
2 prescriptive and rigid, and they identify too many schools "in need of
3 improvement" by creating too many ways to fail, which reduces the
4 opportunities and funding to assist schools that truly are in need of
5 improvement; and

6 WHEREAS, The Act requires all teachers to be highly qualified
7 regardless of state systems of certification and licensure in place,
8 states must continue to have authority to use flexibility in meeting
9 these requirements so that the educational needs of the students and
10 the diverse conditions in the state are met; and

11 WHEREAS, Providers of supplemental services instruct students and
12 are funded with federal funds, therefore these providers must meet the
13 same safety and qualification standards required of public school
14 educators; and

15 WHEREAS, Supplemental services are most appropriately provided by
16 public schools, public school educators should be allowed to offer
17 supplemental services to qualifying students; and

18 WHEREAS, The Act imposes significant costs on the state and local
19 school districts, teachers, and paraprofessionals; and

20 WHEREAS, These costs include the administration of newly required
21 assessments, and the costs of staff development, certification
22 upgrades, and coursework;

23 NOW, THEREFORE, Your Memorialists respectfully request that the
24 President and Congress of the United States work together with state
25 legislatures and the United States Department of Education to raise
26 authorized funding levels of the No Child Left Behind Act to cover the
27 costs that states and districts will incur to carry out these
28 recommendations, and fully fund the law at those levels without
29 reducing expenditures for other education programs and to improve
30 language in the Act and regulations concerning its implementation, to
31 make improvements to address the issues raised in this Memorial, and to
32 grant the time, flexibility, and changes that will ensure successful
33 nationwide implementation of the No Child Left Behind Act.

34 BE IT RESOLVED, That copies of this Memorial be immediately
35 transmitted to the Honorable George W. Bush, President of the United
36 States, the President of the United States Senate, the Speaker of the

1 House of Representatives, each member of Congress from the State of
2 Washington, and the Governor of the State of Washington.

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