
SUBSTITUTE SENATE JOINT MEMORIAL 8011

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Clements, Rasmussen, Eide, Oemig, Sheldon, Shin, Kline and Tom; by request of Superintendent of Public Instruction)

READ FIRST TIME 02/23/07.

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, Students with limited English proficiency are in a program
5 because they cannot speak, read, or write English and they must be
6 provided appropriate and valid measures for accountability that are not
7 included in the overall accountability until such students develop
8 English academic language proficiency, for a period of not more than
9 three years; and

10 WHEREAS, Students with disabilities need appropriate assessments
11 that meet the requirements of the Individuals with Disabilities
12 Education Act (IDEA), are aligned with their individual educational
13 plans, and tested according to students' ability and not limited to
14 their grade level; and

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

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

32 WHEREAS, The adequate yearly progress provisions are overly
33 prescriptive and rigid, and they identify too many schools "in need of
34 improvement" by creating too many ways to fail, which reduces the
35 opportunities and funding to assist schools that truly are in need of
36 improvement; and

37 WHEREAS, The Act requires all teachers to be highly qualified
38 regardless of state systems of certification and licensure in place,

1 states must continue to have authority to use flexibility in meeting
2 these requirements so that the educational needs of the students and
3 the diverse conditions in the state are met; and

4 WHEREAS, Providers of supplemental services instruct students and
5 are funded with federal funds, therefore these providers must meet the
6 same safety and qualification standards required of public school
7 educators; and

8 WHEREAS, Supplemental services are most appropriately provided by
9 public schools, public school educators should be allowed to offer
10 supplemental services to qualifying students; and

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

13 WHEREAS, These costs include the administration of newly required
14 assessments, and the costs of staff development, certification
15 upgrades, and coursework;

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

27 BE IT RESOLVED, That copies of this Memorial be immediately
28 transmitted to the Honorable George W. Bush, President of the United
29 States, the President of the United States Senate, the Speaker of the
30 House of Representatives, each member of Congress from the State of
31 Washington, and the Governor of the State of Washington.

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