



## Policy

NEA should be intimately involved from the beginning in discussions on any issues that impact our members. We would like to provide input before proposals are drafted, rather than simply reacting to already drafted proposals.

### Specific policy requests:

- **Education Transformation** – Endorse inclusion of the principles of NEA’s *Great Public Schools For Every Student By 2020: Achieving a new balance in the federal role to transform America’s public schools* (see attached)
- **ESEA reauthorization** – Support NEA’s principles for ESEA reauthorization (see attached) and listen to the voices of educators in developing legislative proposals.
- **Funding** – Provide for necessary increases in underfunded education programs, including Title I, to ensure that all eligible students can be fully served. Put IDEA special education and Title I on a path to full funding. Also support funding for green schools/school modernization in a stimulus package (see attached)
- **GPO/WEP** – Push for repeal of the Government Pension Offset and Windfall Elimination Provision by using the resources of the Department to make the case regarding the impact on teacher recruitment and retention.

## Department Structure

- **Create Office for Public School Transformation within the Office of the Secretary (see attached)** – A high-level office, led by an official with direct access to the Secretary, would help raise the visibility of the need for a 50-state transformation strategy; bring together the broad range of stakeholders needed; support and promote current state-based efforts; and clearly demonstrate the Administration’s desire to shift the relationship between the federal government and states from a micromanager/enforcer to a supportive partner.
- **Create Office for 21st Century Skills within the Office of the Secretary** -- Having a high-level official to coordinate existing USED programs and policies to support 21<sup>st</sup> century skills, coordinate across agencies, and promote the inclusion of 21st century skills in both the Elementary and Secondary Education Act and other federal laws, would send a powerful signal of the Administration’s support in this area.
- **Restore the position of Special Advisor for Teaching to the Secretary (Teacher in Residence)** – During former Secretary Riley’s tenure, there was a teacher in residence – a senior position filled by a classroom teacher advising the Secretary on a broad array of issues. Restoration of this position would demonstrate a commitment to giving teachers a seat at the table.
- **Stop the proposed shift of the Title III English Language Acquisition State Grant program from the Office of English Language Acquisition (OELA) to the Office of Elementary and Secondary Education (OESE)** – Such a shift would undermine the needed focused on serving English Language Learner students (see attached letter).



- **Add representatives of teacher organizations to the National Technical Advisory Council (National TAC) recently created by Secretary Spellings -- This new National TAC is charged with advising the Secretary on critical issues concerning standards, assessments and accountability. Having teacher representatives appointed is important to ensure consideration of the perspective of classroom educators.**
- **Revise the peer review process for NCLB/ESEA decisions so it is less politicized, includes representatives of educators, and is more open and transparent.**

#### **Other**

- Items that can be addressed immediately through Executive Order or by Secretary of Education (see attached)
- NCLB lawsuit – NEA is engaged in a lawsuit against the current Department of Education regarding the No Child Left Behind Act. A hearing has been scheduled for December 10, 2008 in this matter.



## NEA Recommendations: Other Departments/Agencies

NEA should be intimately involved from the beginning in discussions on any issues that impact our members. We would like to provide input before proposals are drafted, rather than simply reacting to already drafted proposals.

### Labor

- Resolve Landrum-Griffith issue (see attached)
- Reverse harmful minimum wage regulations
- Card check – support passage of the Employee Free Choice Act
- Unemployment Insurance – support extending unemployment insurance for those who have exhausted their benefits
- Better coordinate workforce development and efforts with Department of Education to strengthen skills of nation's workforce

### Commerce

- Business/Education partnerships (Partnership for 21<sup>st</sup> Century Skills)

### Health and Human Services

- Head Start – increase funding and professional development
- SCHIP – expand to cover additional uninsured children
- Medicaid – do not implement currently delayed regulations that would cut reimbursement rates for school-based services; Support a temporary increase in the federal Medicaid match to help states with budget crises

### Transportation

- Support funding for security systems for school buses and for retrofitting school buses to make them more environmentally friendly

### Treasury

- Single and multi-employer pension issues – support changes to Pension Protection Act to protect defined benefit pension plans
- Educator tax deduction – support increasing the deduction, making it permanent, and expanding to cover professional development expenses
- Normal retirement age – do not implement currently delayed regulations and work to craft new regulation that complies with state laws
- 430(b) regulations – delay implementation of regulation to allow school district compliance; work with NEA to revisit regulation

### Social Security Administration

- Social Security Offsets – support repeal of the Government Pension Offset and Windfall Elimination Provision
- Strengthen Social Security system and oppose privatization efforts



### **Office of Management and Budget**

- Ensure educational resources are a priority in Administration's budget

### **Defense**

- Department of Defense schools – Protect employees of Department of Defense schools, including by rejecting the National Security Personnel System (NSPS)

### **Agriculture**

- Nutrition Assistance – Expand child nutrition programs to ensure every child has the nutrition necessary to succeed in school (breakfast, lunch, access during summer)
- Expand food stamp program to help families struggling during the economic crisis
- Strengthen support for rural schools, including the Secure Rural Schools and Community Self-Determination program



## ADMINISTRATION POSITIONS IMPORTANT TO NEA

### EXECUTIVE OFFICE OF THE PRESIDENT

- Assistant to the President for Domestic Policy
- Domestic Policy Council - Assistant for Education
- Deputy Assistant to the President and Director, Intergovernmental Affairs
- Associate OMB Director for Human Resources – oversees education and health programs and budgets

### U.S. DEPARTMENT OF EDUCATION

- **Deputy Secretary** - as currently structured under Spellings the Deputy oversees all the elementary and secondary offices and programs:
  1. Office of Safe and Drug-Free Schools
  2. Office of Innovation and Improvement
  3. Office of Special Education and Rehabilitative Services
  4. Office of English Language Acquisition, Language Enhancement and Academic Achievement for Limited English Proficient Students
  5. Office of Elementary and Secondary Education
  6. White House Initiative on Educational Excellence for Hispanic Americans
- **Assistant Secretary for Elementary and Secondary Education**
- **Assistant Secretary, Office of Planning, Evaluation and Policy Development** - The Office of Planning, Evaluation and Policy Development (OPEPD) oversees planning, evaluation, policy development, and budget activities in the U.S. Department of Education (ED). OPEPD coordinates these activities with ED principal offices and outside organizations such as Congress, the Office of Management and Budget, and state education agencies. OPEPD is home to ED's Budget Service, Performance Information Management Service, Family Policy Compliance Office, and Policy and Program Studies Service. OPEPD coordinates activities of the Office of Educational Technology.
- **General Counsel**, serves as principal adviser to the Secretary on all legal matters affecting Departmental programs and activities.
- **Director, Institute of Education Sciences** –oversees all of USED's research, evaluation, and statistics programs
- **Assistant Secretary, Office of Legislation and Congressional Affairs**. The Office of Legislation and Congressional Affairs (OLCA) has a wide range of responsibilities, the most important of which is coordinating all Department matters relating to Congress. OLCA has a leadership role in planning, developing, and implementing the Department's legislative goals and strategies, notifying Congressional offices of grant awards and Department initiatives, addressing appropriations and budget matters, and monitoring the status of legislative proposals.
- **Assistant Secretary for Civil Rights**
- **Assistant Secretary, Office of Special Education and Rehabilitative Services**.
- **Director, Office of Special Education Programs (OSEP)** – runs IDEA
- **Assistant Deputy Secretary and Director, Office of English Language Acquisition, Language Enhancement and Academic Achievement for Limited English Proficient Students**
- **Secretary's Deputy Chief of Staff for Strategy**



- **Secretary's Deputy Chief of Staff for Policy and Programs**
- **Deputy Assistant Secretary for External Affairs and Outreach Services** (this position is under the Assistant Secretary for Communications and Outreach). responsible for the outreach to parents and teachers, advocacy groups, think tanks, associations, foundations, and the business community, as well as for special-focus outreach, including Hispanic, African American, the disabled community, Native American, Asian and other populations, with special emphasis on under-served groups.
- **Secretary's Regional Representatives** - There are ten of these – one per USED region): <http://www.ed.gov/about/contacts/gen/regions.html>. They are under the Assistant Secretary for Communications and Outreach. These SRRs establish and maintain open and effective working relationships with elected officials and policy constituencies at the state and local levels.

There are also a variety of Boards and commissions run by USED of interest to NEA:

**Advisory Committees** <http://www.ed.gov/about/bdscomm/list/com.html#anchor5>

- [National Advisory Committee on Institutional Quality and Integrity](#)
- [National Advisory Council on Indian Education](#)
- [National Board for Education Sciences](#)
- [National Institute for Literacy Advisory Board](#)
- [National Technical Advisory Council](#)
- [President's Board of Advisors on Historically Black Colleges and Universities](#)
- [President's Board of Advisors on Tribal Colleges and Universities](#)
- [Safe and Drug-Free Schools and Communities Advisory Committee](#)

**Independent Organizations Affiliated with ED**

- [National Council on Disability](#)
- [National Assessment Governing Board \(NAGB\)](#)
- [National Institute for Literacy](#)

**U.S. DEPARTMENT OF DEFENSE**

- Under Secretary of Defense (Personnel and Readiness)
- Deputy Under Secretary of Defense (Personnel and Readiness)
- Deputy Under Secretary of Defense (Military Community and Family Policy)

**OTHER**

- Federal Labor Relations Authority (FLRA)
- National Labor Relations Board (NLRB)
- Equal Employment Opportunity Commission (EEOC)
- Federal Election Commission
- Council of Economic Advisors
- Bureau of Economic Analysis
- White House Economic Policy Advisor
- Interstate Commerce Commission
- Department of Commerce (should have a new position on "education and the economy")
- Department of Labor Agriculture Extension Service



## GREAT PUBLIC SCHOOLS FOR EVERY STUDENT BY 2020

*Achieving a new balance in the federal role to transform America's public schools*

### No Child Left Behind Act: Unprecedented and Unbalanced Federal Role in Education

NCLB marked a drastic shift away from earlier interpretations of the federal role in education. The law established top-down, command-and-control, federally prescriptive testing and accountability mandates with rigid, unrealistic timelines for state and school compliance. Six years of NCLB have shown a fundamentally flawed and poorly implemented law. NCLB has treated children as standardized test scores and ushered in a new, unfortunate era of testing, labeling, and punishing schools. Among its flaws:

- NCLB fails to improve student preparedness for rigorous postsecondary studies or employment because of its narrow emphasis on low-level basic skills.
- It has narrowed the educational experience of students by reducing access to a rich, inspiring, and comprehensive educational curricula.
- It turned the purpose of testing on its head, changing it from a useful instructional tool for teachers to determine how to support students to a punitive policy without resources.
- The rigid definition of “adequate yearly progress” distorts the process of identifying and targeting resources to help struggling schools.
- Its one-size-fits-all sanctions and punishments have failed to significantly close gaps in student achievement.

The federal government demanded outcomes from schools without providing the inputs, like sufficient funding, creating a \$71 billion gap between promised and actual funding.

### Great Public Schools for Every Student by 2020: A Renewed Commitment and Balance in Education

The National Education Association—on behalf of its 3.2 million members—seeks a balance in education policy that would transform public schools into high-quality learning centers by sharing responsibility with local, district, and state governments. Schools, districts, and states—not the federal government—are the primary engines of public school transformation. Most of the leadership and responsibility for education appropriately rests at the local school district and state levels. Constitutionally, education is reserved to the states, and the majority of education funding is provided at the state level.

NEA believes the federal government has a vital role to play in advancing the quality of America's public schools. As such, we urge the federal government to *embrace its role as a supporter—not a manager*—of district and state responsibilities by:

- Establishing the goal of great public schools for every student by 2020;
- Strengthening enforcement of civil rights laws to promote access and opportunity;
- Guaranteeing the funding required to comply with past congressional actions and current federal mandates;
- Building public support for the goal of great public schools for every student by the year 2020.

NEA is proposing a new policy framework for the federal government, in association with local, district, and state partners, to transform public schools by 2020. This framework will:

1. Revive and support the profession of teaching as a desired and complex field of study and practice;
2. Take responsibility once and for all for the protection of students by putting a federal guarantee on the sustained funding of Title I and IDEA;
3. Protect and achieve students' equal access to the services and supports they need to succeed;
4. Support state-based public school transformation through authentic accountability that is publicly transparent;
5. Establish high-quality education research and development as essential to educational improvement;
6. Support innovation and best practices to accelerate state-based efforts to improve student learning.



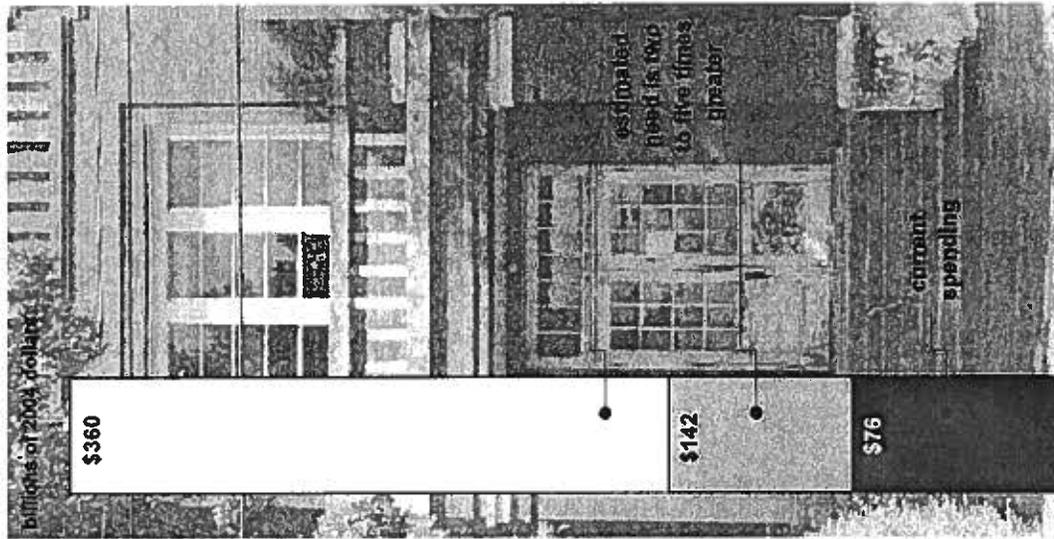


# Modernizing Schools Making the Case for Federal Investment

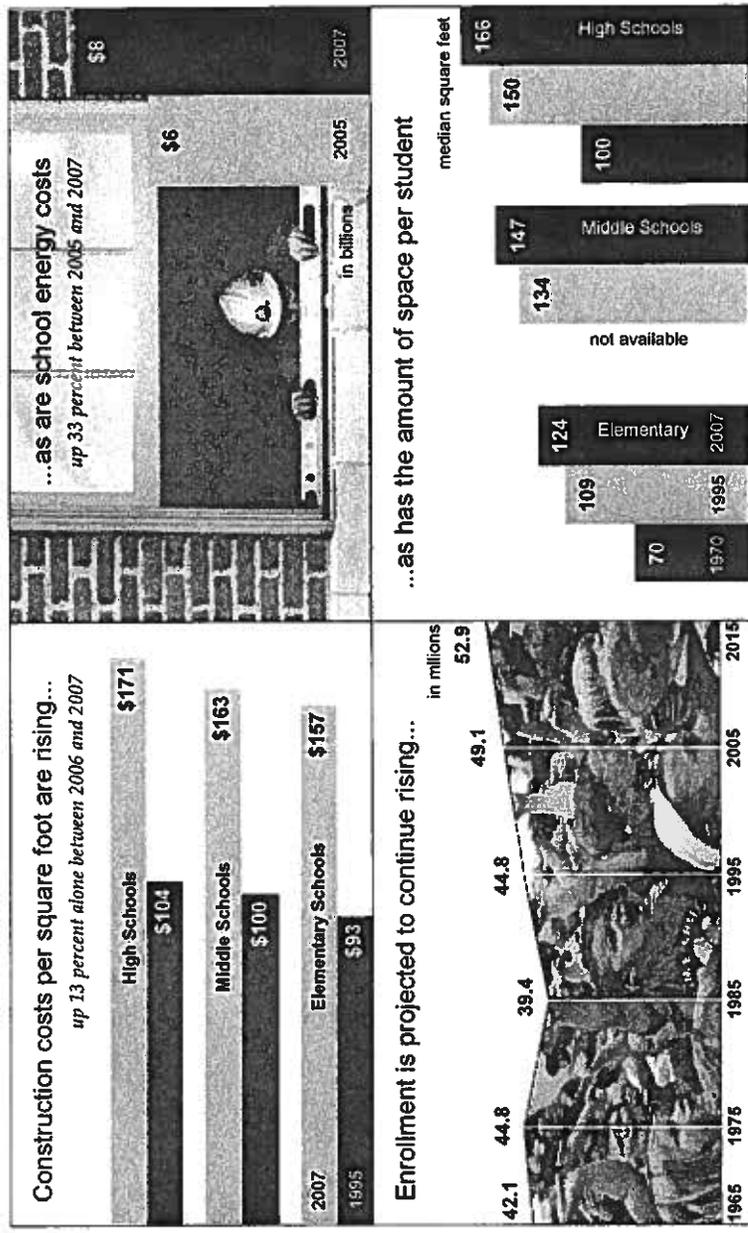


Great Public Schools for Every Child

## Capital Spending on Schools\*



Capital spending on schools\* by all levels of government — federal, state, and local — was almost \$76 billion in 2004. Estimates of “need” are limited, but two sources exist: survey data from the National Center for Education Statistics indicate that a one-time investment of \$142 billion beyond current amounts would be necessary to bring school facilities into a good state of repair; the National Education Association has estimated that a one-time investment of \$360 billion beyond current spending would be necessary to “modernize” schools, including up-to-date technologies (figures are in 2004 dollars). Based on these estimates, the need for more capital spending on schools is at least two to five times greater than current levels. The federal government provides only minimal funding for school facilities through a few scattered programs: Impact Aid construction (section 8007); American Indian schools under the U.S. Department of the Interior/Bureau of Indian Affairs; E-rate funding for technology infrastructure; and a U.S. Department of Treasury tax credit to school districts through Qualified Zone Academy Bonds.



\* Includes primary, secondary, higher, vocational, and special education. Source: Issues and Options in Infrastructure Investment, Congressional Budget Office, May 2008.

Sources: The 2008 Annual School Construction Report, School Planning & Management, February 2008. Representative Rush Holt, Testimony on the School Building Enhancement Act before the Committee on Education and Labor, U.S. House of Representatives, February 13, 2008. Projections of Education Statistics to 2017, Table 1, PreK-12 Public School Enrollment. National Center for Education Statistics, September 2008. For more information, contact Tom Zember at 202.822.7109 or TZember@nea.org. October 9, 2008.



# Modernizing Schools: Part II

## Making the Case for Federal Investment

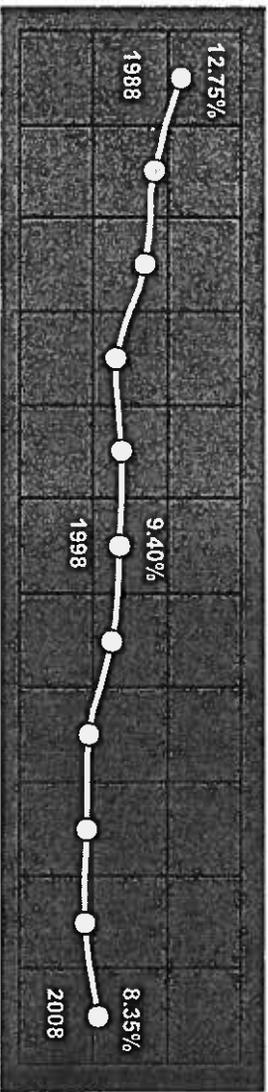
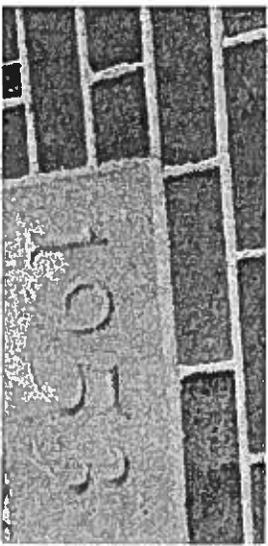


### A. \$20 billion, one-time federal contribution to school districts to eliminate deferred maintenance

The overall percentage of school district spending on maintenance and operations declined from 12.75 percent in 1988 to 8.35 percent in 2008. From 2002-06, the portion of total expenditures devoted to maintenance and operations averaged just 7.6 percent. \* A \$20 billion, one-time federal contribution to school districts to eliminate some of their deferred maintenance could generate close to 250,000 skilled maintenance jobs with nearly \$6 billion for materials and supplies.\*\*



Percentage of School District Spending on Maintenance & Operations



Sources: \* Joe Agron, "37th Annual Maintenance and Operations Cost Study: Schools," School Planning & Management Magazine, April 2008. \*\* Mary Filardo, "Good Buildings, Better Schools: An Economic Stimulus Opportunity with Long-Term Benefits," Economic Policy Institute Briefing Paper #216, April 29, 2008. For more information, contact Tom Zembler at 202.822.7109 or Tzembler@nea.org. October 9, 2008.



# Modernizing Schools: Part II

## Making the Case for Federal Investment

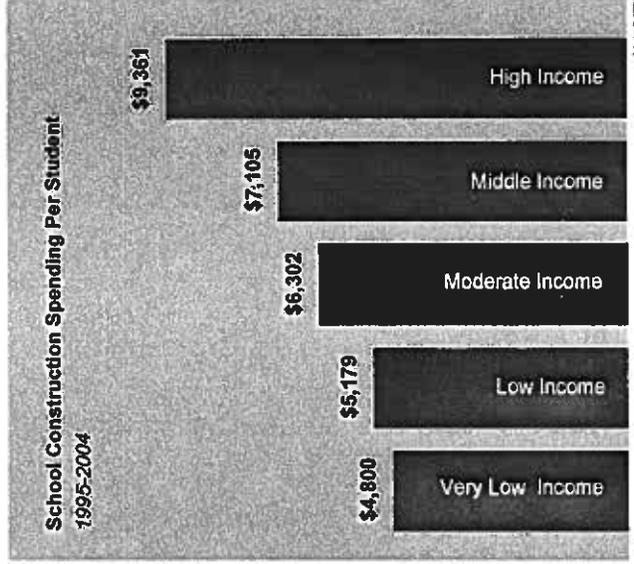
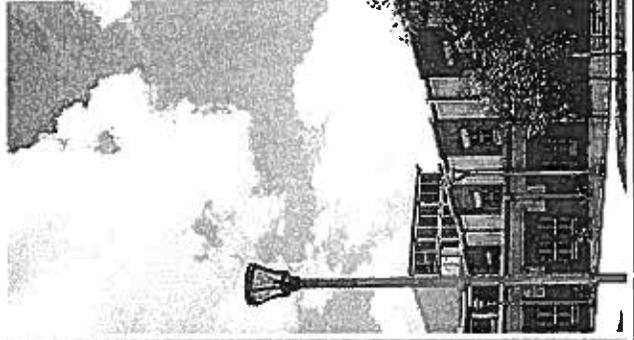
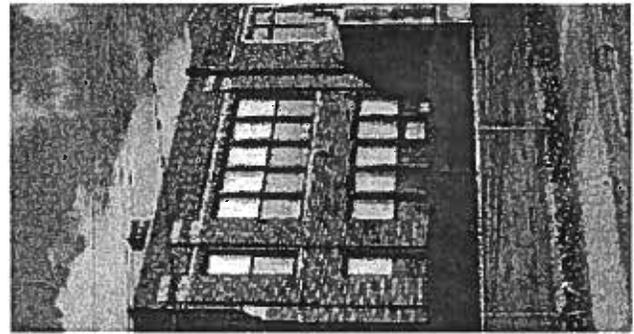


### B. \$50 billion to reduce the disparity in overall building quality in low-income school districts

Schools in districts with a higher proportion of low-income children had less funding for new construction, renovations, and major maintenance and repairs than schools with more affluent student populations. \$4,800 per student in districts where more than 75 percent of the students were eligible for free or reduced-price lunch compared to \$9,361 per student in districts where less than 10 percent of the students were eligible for free or

reduced-price lunch. To bring the very low-, low-, and moderate-income districts up to parity with the middle-income districts would require additional funding for these districts of about \$50 billion. Funding all districts to the level of the highest income districts would require nearly \$140 billion. Funding could be in the form of grants or tax credits for bonds or a combination of the two. America's Better Classroom Act (H.R. 2470/S. 912), as introduced,

provides for the issuance of more than \$25 billion in bonds. The federal government provides tax credits to bond holders in lieu of interest payments, and the state or school district would only be responsible for repaying the principal, thereby enabling states and school districts to stretch limited resources for additional school facility projects. The bill would also expand the existing Qualified Zone Academy Bond Program.



Source: Mary Filardo, "Good Buildings, Better Schools: An Economic Stimulus Opportunity with Long-Term Benefits." Economic Policy Institute Briefing Paper #216, April 29, 2008. For more information, contact Tom Zember at 202.822.7109 or TZember@nea.org. October 9, 2008.



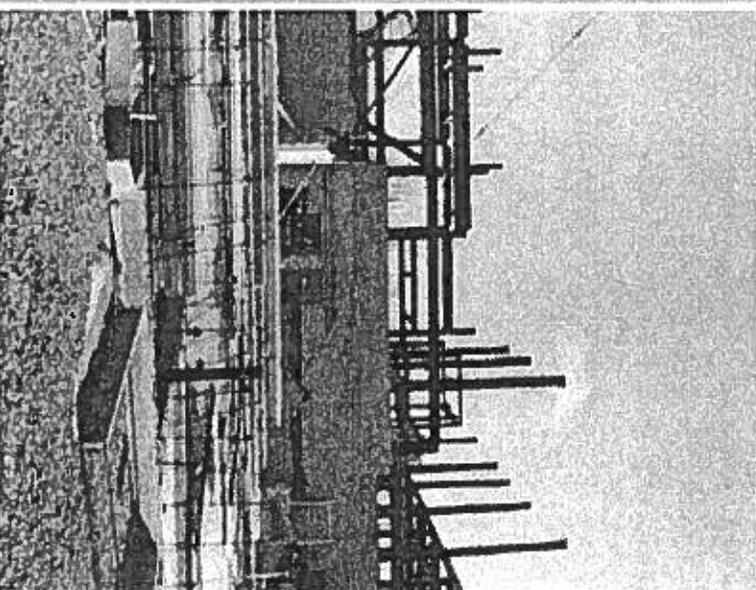
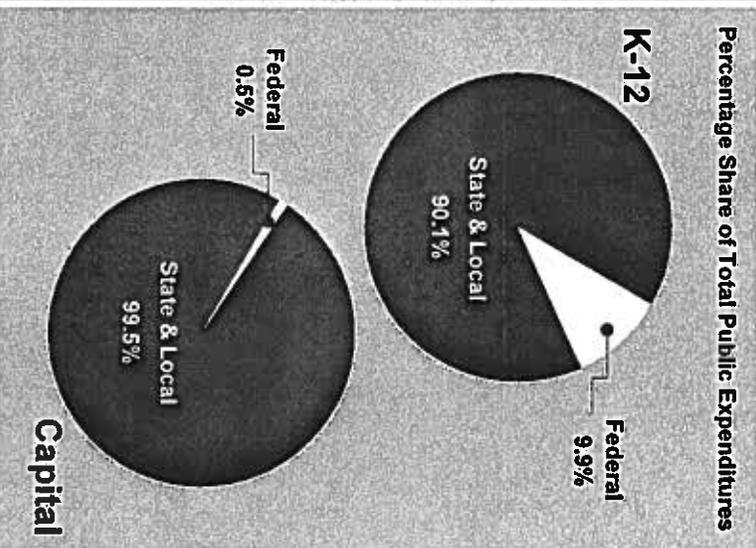
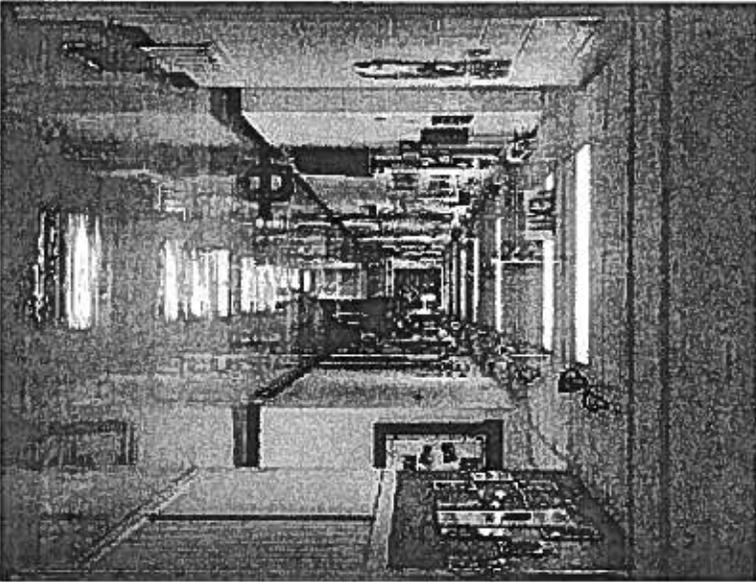
# Modernizing Schools: Part II

## Making the Case for Federal Investment



### C. An ongoing federal commitment of approximately \$6 billion for facilities support, targeted primarily to low-income schools

*The federal government needs to play an ongoing role in school construction...just as the federal government contributes, on average, 10 percent of local school district operating budgets, the federal government should provide a comparable amount for capital. Using the \$504 billion from the 1995-2004 period as a basis for establishing local and state effort plus the \$85 billion that the states and local school districts paid in borrowing costs over the period, would translate to a 10 percent federal contribution of \$5.89 billion per year. The 21st Century Green High-Performing Public School Facilities Act (H.R. 3021), passed by the House on June 4, 2008, includes an authorization of \$6.4 billion in 2009.*



Sources: Mary Flaherty, "Good Buildings, Better Schools: An Economic Stimulus Opportunity with Long-Term Benefits," Economic Policy Institute Briefing Paper #216, April 29, 2008. Issues and Options in Infrastructure Investment, Congressional Budget Office, May 2008. For more information, contact Tom Ziembar at 202.822.7109 or TZiembar@nea.org, October 9, 2008.

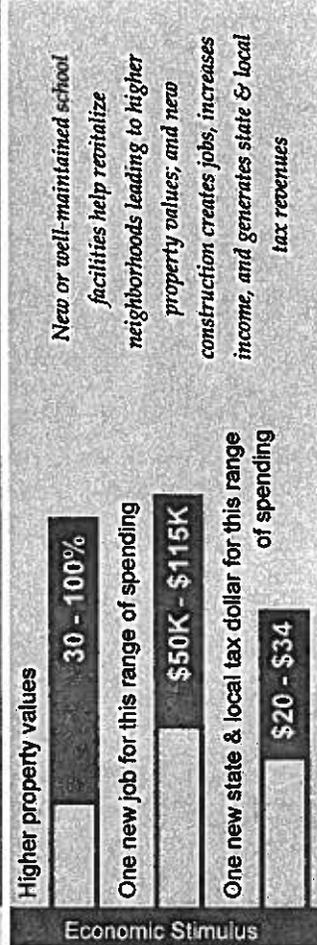
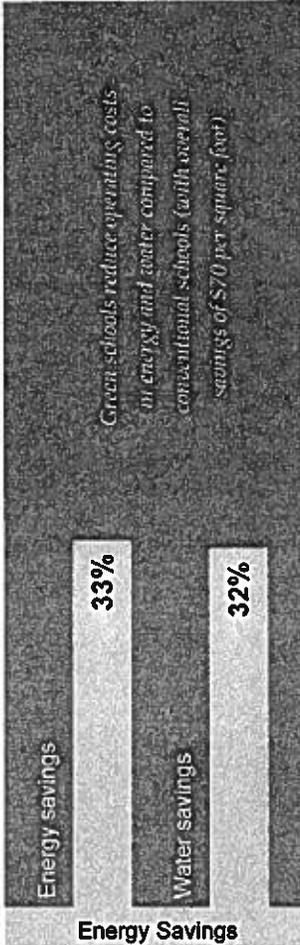
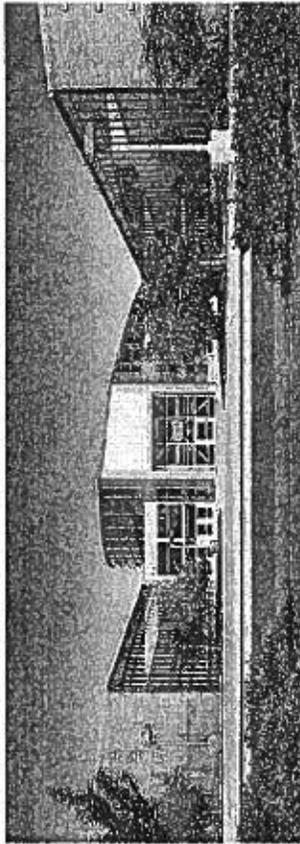
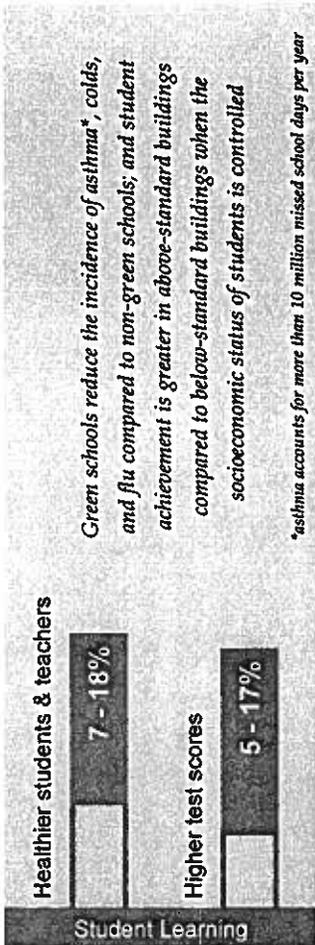


# Modernizing Schools: Part III

## Making the Case for Federal Investment



Benefits to be derived from a greater federal investment in modernizing school facilities...



Sources: Dennis Van Roekel, Testimony before the Committee on Ways & Means, U.S. House of Representatives, October 29, 2008. Representatives Rush Holt, Darlene Hooley, and Dave Loebsack, and Kathleen J. Moore, Director of the School Facilities Planning Division, California Department of Education, Testimony before the Committee on Education and Labor, U.S. House of Representatives, February 13, 2008. Jonathan D. Weiss, "Public Schools and Economic Development, What the Research Shows," KnowledgeWorks Foundation, 2004. For more information, contact Tom Zemarbar at 202.822.7109 or TZemarbar@nea.org. October 29, 2008.





# Transition Brief

Policy Recommendations on Preparing  
Americans for the Global Skills Race

November 2008

Partnership for 21st Century Skills



**PARTNERSHIP FOR  
21ST CENTURY SKILLS**

PARTNERSHIP FOR  
21ST CENTURY SKILLS

## Preparing Americans to Triumph in the Global Skills Race

**The central economic competitiveness issue for the Obama administration is creating an aligned, 21st century public education system that prepares students, workers and citizens to triumph in the global skills race.**

On Jan. 20, 2009, the Obama administration will take command of the White House facing unprecedented challenges to the U.S. economy and competitiveness. Americans are hungry for visionary presidential leadership, foresighted policies and bold actions that will strengthen economic opportunities and security at home and build collaboration abroad.

Our ability to compete as a nation—and for states, regions and communities to attract growth industries and create good jobs—depends on the ingenuity, agility and skills of the American people. Today as never before, meeting the nation's challenges demands educational excellence. Reinvigorating the economy, achieving energy independence with alternative technologies and green jobs, and strengthening our health care system require a skilled workforce that is ready for the critical work and jobs ahead.

There is widespread consensus, however, that our education and workforce development systems are failing to adequately prepare all students and workers with the essential skills—21st century skills—necessary for success in a

global economy. We need a fresh approach to education that recalibrates workforce preparation to the demands of a 21st century economy built on information, knowledge, innovation and creativity.

To that end, the Partnership for 21st Century Skills offers three specific recommendations to President Obama and the new administration:

- **Lead:** Advocate 21st century skills as a major theme of this presidency, beginning with the Inaugural Address and a White House Summit on 21st Century Skills in 2009.
- **Mobilize:** Coordinate the policies and actions of federal agencies in promoting and creating an aligned, 21st century public education and workforce development system, including the reauthorization of the Elementary and Secondary Education Act and other federal legislation.
- **Empower:** Support states and communities with investments to build a strong infrastructure and capacity for preparing students, workers and citizens with 21st century skills.

If adopted, the policy recommendations in this transition brief will put the administration on the right track—and position the nation for a second century of American leadership around the world.



## PARTNERSHIP FOR 21ST CENTURY SKILLS

### Why the Obama Administration Needs to Act Now

Three significant competitive realities underscore why our education and workforce development systems are due for dramatic change:

**1. Fundamental changes in the economy, jobs and businesses have reshaped industry, workplaces and the nature of work.** Over the last several decades, the industrial economy based on manufacturing has shifted to a service economy driven by information, knowledge, innovation and creativity. Jobs also have shifted from manufacturing to services, particularly in higher-paid information services. Today, more than 80 percent of jobs are in the service sector, which includes high-growth, high-wage and high-skilled occupations in new and emerging industries.

In this new, globally interconnected economy, companies have changed how they are organized and the way they do business. Technology has supported these changes, which include flatter management structures, decentralized decision making, information sharing and the use of task teams, cross-organizational networking, just-in-time inventory and flexible work arrangements. Tellingly, technology displaces workers with low-level skills who perform routine tasks—but it complements workers with higher-level skills, empowering them to be more creative, productive and valuable in the workplace.

**2. The fundamental changes in the economy, jobs and businesses are driving new, different skill demands.**

Advanced economies, innovative industries and firms, and high-growth jobs require more educated workers with the ability to respond flexibly to complex problems, communicate effectively, manage information, work in teams and produce new knowledge. To meet these demands, the majority of U.S. workers now have at least some postsecondary education—although, untenably, the nation still has one of the highest high school dropout rates in the industrialized world. Plus, many students who enter postsecondary education are unprepared for college-level work and are consigned to remedial coursework.

More important than educational attainment, however, are the skills required by the new economy. A different set of skills—21st century skills—increasingly powers the wealth of nations. Advanced economies have a high capacity for innovation, which requires workers who can invent and create, implement global strategies in international marketplaces, and apply such skills as foreign language competency, flexibility, and openness to new and different ideas.

**3. The United States faces two student achievement gaps. So far, the nation is only paying attention to one of**



## PARTNERSHIP FOR 21ST CENTURY SKILLS

**them—inadequately.** For the past decade, the United States has focused nationally on closing achievement gaps between the lowest- and highest-performing students, and between the poorest and most affluent. This is a legitimate and critical objective, and one that is putting proficiency in reading, mathematics and science within reach of millions more students.

Equally important, however, is the global achievement gap between U.S. students—including our top-performing students—and their international peers in competitor nations. U.S. students fare poorly compared to their counterparts on international assessments, such as the Programme for International Student Assessment (PISA). These results are economically significant. Countries that do well on PISA, which measures 21st century skills such as critical thinking and problem solving, have demonstrated higher increases in GDP growth than countries that do not.

An unintended consequence of progress in closing national achievement gaps has been a lack of attention to the global achievement gap—and to the growing competitive demand for advanced skills. Going forward, the nation must redress these circumstances by redefining rigor as mastery of both academic subjects and 21st century skills. This is not an either-or agenda. Students can acquire and use 21st century skills while they learn in school and at home, in after-school and community activities, and in work

experiences. And, as the PISA results show, proficiency in 21st century skills contributes to world-class educational performance. This must be the new benchmark for public education.

Without concerted action, sweeping demographic changes will exacerbate the two achievement gaps. National and global demographic trends, including the diversification and aging of the U.S. workforce, could slow economic output if productivity does not increase. Boosting productivity and sustaining competitiveness requires many more highly skilled workers throughout the labor pool.

*For a summary of the Partnership for 21st Century Skills Framework for 21st Century Learning, see page 13.*



## PARTNERSHIP FOR 21ST CENTURY SKILLS

### Policy Recommendations for the Obama Administration

#### **Recommendation 1: Lead**

**Advocate 21st century skills as a major theme of this presidency, beginning with the Inaugural Address and a White House Summit on 21st Century Skills in 2009.**

The Partnership for 21st Century Skills urges the Obama administration to signal its commitment to creating an aligned, 21st century public education and workforce development system that is worthy of an advanced, competitive nation. A clarion call to action would galvanize the public and private sectors to work for the change we need to strengthen the economy, keep America competitive and reestablish our engagement in the world.

The administration's single most important role in this critical endeavor is leadership. The Inaugural Address is the signature opportunity to advocate and articulate a new course for education and workforce development. Prominent participation in a White House Summit on 21st Century Skills in June of 2009 is a chance to set this course in motion nationwide.

Our goal is inclusion for every American in the global economy and active participation in our democracy. The 2008 election demonstrated that all Americans yearn for change to solve the nation's problems and create a better life for everyone. There is much we can learn

from the rest of the world. To create a world-class education for every student and workers, we need to work with other countries to find the best ways of preparing people for work, life and citizenship.

Doing so will require more than tinkering. This administration must lead the conversion of the nation's education and workforce development infrastructure, policies and practices to function differently and powerfully in a transformed economy. Nothing less than the same spirit of creativity and innovation, flexibility and adaptability, and global perspective that we expect of our students, workers and citizens will suffice in accomplishing this feat.

A single purpose should drive every action: For students, proficiency in 21st century skills—the skills, knowledge and expertise students must master to succeed in college, work and life—should be the outcome of a 21st century education system.

Voters, employers and educators in both K–12 and postsecondary institutions agree that the nation needs to do a much better job teaching and measuring advanced, 21st century skills that are the indispensable currency for participation, achievement and success in the global economy.

Creating an aligned, 21st century public education will energize the nation's K–12



## PARTNERSHIP FOR 21ST CENTURY SKILLS

schools, postsecondary institutions and workforce training programs. It will redefine rigor by emphasizing both core content knowledge and 21st century skills. And it will engage and motivate educators, students, citizens and workers to achieve results that matter.

**Recommendation 2: Mobilize**  
**Coordinate the policies and actions of federal agencies in promoting and creating an aligned, 21st century public education and workforce development system.**

**A. Establish a senior advisor for 21st century skills and workforce development at the White House.** A high-ranking advisor to the President would facilitate a comprehensive, government-wide initiative on 21st century skills in education, workforce development, and research and development. Under the auspices of the National Economic Council, the White House Advisor on 21st Century Skills would be responsible for:

- Coordinating and facilitating a workforce development, education and research policy focused on promoting 21st century skills across key federal agencies, including—but not limited to—the U.S. Departments of Education, Labor, Commerce and Defense, and the National Science Foundation
- Creating an interagency working group tasked with aligning education

and workforce development goals with 21st century skills

- Organizing and hosting a White House summit on 21st century skills
- Ensuring that 21st century skills are incorporated into major pieces of federal legislation, including the reauthorization of the Elementary and Secondary Education Act (ESEA), the Workforce Investment Act (WIA) and the Education Sciences Reform Act (ESRA)
- Maintaining the administration's focus and commitment to building a world-class, 21st century education and workforce development system

**B. Form an Office of 21st Century Skills within the Office of the U.S. Secretary of Education at the U.S. Department of Education.** This office would guide national efforts to incorporate 21st century skills into preK–20 education and plan for future educational requirements. The office would be responsible for:

- Assisting the U.S. Secretary of Education in developing public education strategies to promote the importance of 21st century skills among key education, after-school and youth development stakeholders
- Ensuring that a 21st century skills focus is broadly integrated into existing federal education programs, including preK–12, postsecondary, and



## PARTNERSHIP FOR 21ST CENTURY SKILLS

career and technical education; science, technology, engineering and mathematics (STEM) initiatives; and programs such as the Regional Education Laboratory Program, National Research and Development Centers and Comprehensive Center Program, which provide technical assistance and research to states, districts and schools

- Working closely with the White House Advisor on 21st Century Skills to advocate and implement coordinated policy across all agencies focused on preK–adult education to ensure that 21st century skills are incorporated into the ESEA and ESRA reauthorizations
- Investing in state-led partnerships aimed at incorporating 21st century skills into state standards, assessment and professional development policies
- Highlighting effective policies and practices by showcasing and convening states and districts that have taken a leadership role in developing 21st century schools

**C. Create an Office of 21st Century Skills within the Office of the U.S. Secretary of Labor at the U.S. Department of Labor.** This office would guide the development of a national workforce development policy that ensures every aspect of the workforce pipeline is infused with the same set of 21st century skills. This office

also would plan for future workforce needs. The office will be responsible for:

- Assisting the U.S. Secretary of Labor in designing workforce development strategies to promote the importance of 21st century skills among key business and education stakeholders
- Ensuring that the 21st century skills agenda is broadly integrated into existing programs, including workforce development resources that support community college programs, after-school and youth development programs, and adult education and worker retraining programs
- Working closely with the White House Advisor on 21st Century Skills to advocate and implement coordinated policy across all agencies focused on preK–adult education to ensure that 21st century skills are incorporated into the WIA reauthorization

**Recommendation 3: Empower Support states and communities with investments to build a strong infrastructure and capacity for preparing students, workers and citizens with 21st century skills.**

### At the Federal Level

The current national investment in education research, assessment and statistics is \$546 million, a woefully inadequate 0.9 percent of the total federal education investment. No other competitive industry invests so little in its



## PARTNERSHIP FOR 21ST CENTURY SKILLS

future. We must enrich the nation's collective wisdom about teaching and assessing 21st century skills.

**A. Create a significant Global Competitiveness Research and Development Fund for U.S. education, and target a quarter of the funding to innovation in 21st century skills.** This research and development (R & D) fund should amount to slightly more than three percent of the combined federal contribution for preK–20 education. A quarter of this investment should be targeted to a 21st Century Innovation Initiative, which would define and execute an interdisciplinary R & D agenda with the goals of:

- Developing 21st century assessment practices that emphasize problem solving, critical thinking and innovation
- Designing instructional strategies and curricular resources, including new media that support 21st century skills and place a strong emphasis on problem-based approaches to student learning. These strategies and resources could be used in formal and informal learning environments, such as after-school and youth development programs, including those for high-need, underserved students.
- Constructing professional development experiences that support educators in implementing new strategies that emphasize 21st century skills

### **At the State and Local Levels**

The federal government must encourage states to integrate 21st century skills comprehensively, intentionally and purposefully into their education and workforce development systems. In an era of budget constraints, states need federal incentives for launching and implementing 21st century skills initiatives.

Clearly, ESEA reauthorization will present an opportunity for creating a balanced approach to closing national and global achievement gaps and developing student proficiency in 21st century skills. Specific actions—either as part of or separate from ESEA reauthorization—would support states in developing education systems capable of addressing the challenges of globalization and the increasing competitiveness of nations around the world:

**B. Create a State Incentive Fund for 21st Century Skills for launching statewide initiatives.** Legislation was introduced in the 110th Congress (S. 1483) to provide federal matching funds for states that secure state dollars, foundation grants or private donations for the advancement of students' 21st century skills. The bill provides corporate tax incentives to businesses that support the 21st century skills. States that are eligible for funding would:

- Develop a comprehensive plan for implementing a statewide 21st century skills initiative



## PARTNERSHIP FOR 21ST CENTURY SKILLS

- Demonstrate a commitment to infusing 21st century skills into:
  - Standards and assessments
  - Curriculum
  - Professional development
  - Learning environments
- Achieve broad support for a statewide 21st century skills initiative from among the state's education, business and civic leaders and classroom practitioners

**C. Create a State Implementation Fund for 21st Century Skills to support 21st century learning.** States will need to increase their capacity to create educational strategies and practices that are globally competitive. A State Implementation Fund for 21st Century Skills would assist states in developing and disseminating new approaches to educating students. These funds would be available to consortia, which could include state education agencies, local education agencies, cross-state consortia, business stakeholders, educators, regional laboratories and comprehensive centers, and colleges of education. The funds would provide support to the states to:

- Revise their standards to reflect 21st century skills
- Develop and implement approaches to assessment that encompass 21st century skills
- Create programs for professional development of 21st century skills

and establish regional 21st Century Skills Teaching Academies

- Conduct research and evaluation to identify best practices for teaching, attaining and measuring 21st century skills

**D. Make the assessment of 21st century skills a priority:** To promote accountability of student performance in the 21st century, the National Academy of Sciences (NAS) should be required to report to Congress within three months of ESEA reauthorization on states' current capacity to assess 21st century skills, along with recommendations on how states should fully develop metrics and assessments of 21st century skills. Three months following the NAS report, the U.S. Secretary of Education should be required to respond to Congress with recommendations on how to implement the findings of the NAS report.

The purpose of this recommendation is to create substantial progress on the assessment of 21st century skills early in the next ESEA cycle. Nations such as the United Kingdom are investing tens of millions of dollars in developing information and communications technologies (ICT) assessment tools alone. The United States is behind much of the world in developing assessments for 21st century skills. This proposal is intended to create a roadmap for assessing the 21st century skills that would encourage lawmakers to fully incorporate these into future ESEA reauthorizations.



## PARTNERSHIP FOR 21ST CENTURY SKILLS

**E. Support states' ability to meet accountability requirements and foster 21st century skills.** To enhance states' ability to provide a 21st century education to students, Congress and the U.S. Department of Education should review the rules and regulations for state standards, assessments and accountability so states can better incorporate 21st century skills into every aspect of education.

**F. Ensure that schools are equipped with a 21st century technology infrastructure and 21st century technology tools.** Schools must routinely use technologies in support of teaching and learning so that students can compete academically for top grades and globally for the best-paying jobs. This requires:

- Supporting access for all students to technology and the Internet
- Increasing federal funding for educational technology through the U.S. Department of Education's budget
- Preserving the E-Rate and providing robust bandwidth in all classrooms to allow students and educators to use cutting-edge digital applications and services
- Incorporating information, media and technology literacy into state standards, training and professional development for educators

- Encouraging student information, media and technology literacy by the eighth grade



## PARTNERSHIP FOR 21ST CENTURY SKILLS

### States Take the Lead on 21st Century Skills

Already, 10 Leadership States—Arizona, Iowa, Kansas, Maine, Massachusetts, New Jersey, North Carolina, South Dakota, West Virginia and Wisconsin—have committed to infusing 21st century skills into their education and workforce development systems. Many more states and organizations are using the Partnership's Framework for 21st Century Learning to improve their education and workforce development policies and programs as well.

States are using the Framework for 21st Century Learning to meet the unique academic, educational, economic and workforce challenges they face. For example:

- **Arizona** plans to align teacher preparation to 21st century skills and incorporate 21st century skills into statewide youth development programs.
- **Iowa** is building 21st century skills into the Iowa Core Curriculum.
- **Kansas** is improving workforce development by adopting career and technical education policies that strengthen the focus on 21st century skills.
- **Massachusetts** is developing a Pathways to Success 21 Initiative to improve prospects of young people who drop out of education and employment systems and reconnect them to a pathway to success. The state also is embedding 21st century skills into its workforce development system.
- **Maine** is addressing 21st century skills statewide through its newly formed 21st Century Skills Advisory Council, which brings together educators, business and government.
- **New Jersey** is revising its state standards in every subject to reflect 21st century skills student outcomes.
- **North Carolina's** New Literacies Collaborative and Student STEM Symposium are multidisciplinary initiatives to build 21st century skills into literacy, media, technology and STEM (science, technology, engineering and mathematics) instructional programs.



## PARTNERSHIP FOR 21ST CENTURY SKILLS

- **South Dakota** is convening business leaders, legislators, state education leaders and educators to examine its education system and make comprehensive plans for 21st century learning.
- **West Virginia** is developing internationally rigorous standards, assessments and teacher preparation programs. The state also has created a Teacher Leadership Institute and a Teach 21 Web site to help educators learn about 21st century skills and work collaboratively to plan and deliver 21st century instruction.
- **Wisconsin** is coupling its 21st Century Skills Initiative with its participation in Achieve's American Diploma Project to revise its academic standards. The state also has committed to bringing international perspectives and skills to preK–16 education, including global literacy and world languages for all students and global training for all educators.

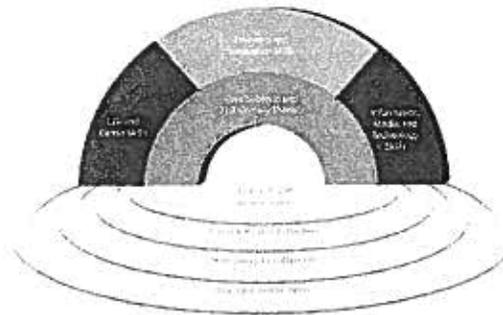


## PARTNERSHIP FOR 21ST CENTURY SKILLS

### What Are 21st Century Skills?

The Partnership for 21st Century Skills has developed a unified, collective vision for 21st century learning and education support systems that should be the touchstone for creating an effective infrastructure, policies and practices:

21st Century Student Outcomes and Support Systems



#### 21st Century Student Outcomes

##### Core Subjects and 21st Century Themes

##### Core Subjects

- English, reading or language arts
- World languages
- Arts
- Mathematics
- Economics
- Science
- Geography
- History
- Government and civics

##### 21st Century Themes

- Global awareness
- Financial, economic, business and entrepreneurial literacy
- Civic literacy
- Health literacy

##### Learning and Innovation Skills

- Creativity and innovation skills

- Critical thinking and problem solving skills

- Communication and collaboration skills

##### Information, Media and Technology Skills

- Information literacy
- Media literacy
- ICT (information and communications technology) literacy

##### Life and Career Skills

- Flexibility and adaptability
- Initiative and self-direction
- Social and cross-cultural skills
- Productivity and accountability
- Leadership and responsibility

##### 21st Century Education Support Systems

- 21st Century Standards and Assessments
- 21st Century Curriculum and Instruction
- 21st Century Professional Development

For more on the work of the Partnership for 21st Century Skills, visit [www.21stcenturyskills.org](http://www.21stcenturyskills.org).



## PARTNERSHIP FOR 21ST CENTURY SKILLS

### Partnership for 21st Century Skills Members

- Adobe Systems, Inc.
- American Association of School Librarians
- Apple Inc.
- Association for Supervision and Curriculum Development
- Atomic Learning
- Blackboard, Inc.
- Cable in the Classroom
- Cisco Systems
- Corporation for Public Broadcasting
- Davis Publications
- Dell, Inc.
- Discovery Education
- EF Education
- Education Networks of America
- Educational Testing Service
- Ford Motor Company Fund
- Gale, Cengage Learning
- Hewlett Packard
- Intel Corporation
- JA Worldwide®
- K12
- KnowledgeWorks Foundation
- Learning Point Associates
- LEGO Group
- Lenovo
- Measured Progress Corporation
- National Education Association
- Oracle Education Foundation
- Pearson
- PolyVision
- Scholastic Education
- Sesame Workshop
- THINKronize
- Verizon
- Wireless Generation

### About the Partnership for 21st Century Skills

The Partnership for 21st Century Skills has emerged as the leading advocacy organization focused on infusing 21st century skills into education. The organization brings together the business community, education leaders, and policymakers to define a powerful vision for 21st century education to ensure every child's success as citizens and workers in the 21st century. The Partnership encourages schools, districts and states to advocate for the infusion of 21st century skills into education and provides tools and resources to help facilitate and drive change.

**To learn more about 21st century learning and state actions to date, visit [www.21stcenturyskills.org](http://www.21stcenturyskills.org).**



August 28, 2008

Secretary Margaret Spellings  
United States Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Re: Opposition to Moving the Title III State Formula Grant Program

Dear Secretary Spellings:

The undersigned organizations working to improve educational opportunities for Hispanics and English language learners (ELLs) write in opposition to the U.S. Department of Education's decision to move the Title III State Formula Grant Program from the Office of English Language Acquisition (OELA) to the Office of Elementary and Secondary Education (OESE).

ELL student enrollment in the public education system has increased by more than 56% over the last decade, with the most significant growth in nontraditional Latino and immigrant states, such as South Carolina (714%), Kentucky (417%), and Indiana (408%). Despite federal law requiring states to close the achievement gap for ELLs, many states struggle to effectively serve these students. As such, the education of ELLs has become one of the most pressing education policy issues facing our nation.

Currently, the OELA is the only federal office charged with addressing the educational needs of ELLs. At a time when ELLs are growing in number and prominence in policy discussions, the Department plans to parcel out core functions of the OELA. We are concerned that this sends a message to ELL educators that the education of ELLs can be addressed with a weaker federal office rather than a stronger one.

ELL students are present in almost every classroom, school, and district in the country. Providing educators with the tools to effectively serve ELLs is critical. It is equally important that the U.S. Department of Education ensure compliance with Title III and other parts of the No Child Left Behind Act. We are not convinced that shifting key functions away from the OELA to the OESE will achieve this. As such, we oppose the decision to move the Title III State Formula Grant Program out of the OELA.

On behalf of,



**National Organizations:**

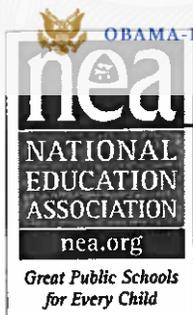
Asian Pacific American Legal Center of Southern California  
ASPIRA Association, Inc.  
Cuban American National Council, Inc.  
League of United Latin American Citizens (LULAC)  
Mexican American Legal Defense and Educational Fund (MALDEF)  
National Council of La Raza (NCLR)  
National Education Association (NEA)  
Southeast Asia Resource Action Center (SEARAC)  
Teachers of English to Speakers of Other Languages, Inc.

**State and Local Organizations:**

Association of Mexican American Educators (AMAE), Fresno, California  
BUENO Center for Multicultural Education, University of Colorado  
California Association for Bilingual Education (CABE)  
California Rural Legal Assistance Foundation  
Californians Together  
Cesar Chavez School Network, Pueblo, Colorado  
Coalition for Educational Excellence for English Language Learners, New York, New York  
Garcia, Rosa, Member, Maryland State Board of Education  
Gutierrez, Ana Sol, Maryland State Legislator  
Multicultural Education, Training & Advocacy (META, Inc.), San Francisco, California  
New Mexico Association for Bilingual Education (NMABE)  
Sweetwater Union High School District, Chula Vista, California  
Texas Association for Bilingual Education (TABE)

Cc: Richard Smith, Acting Assistant Deputy Secretary & Chief of Staff, Office of English  
Language Acquisition  
Kerry Briggs, Assistant Secretary, Office of Elementary and Secondary Education





1201 16th St., N.W. | Washington, DC 20036 | Phone: 202.833.4000

Dennis Van Roekel  
*President*

Lily Eskelsen  
*Vice President*

Rebecca S. Pringle  
*Secretary-Treasurer*

John I. Wilson  
*Executive Director*

November 13, 2008

The Honorable Margaret Spellings  
Secretary  
United States Department of Education  
40 Maryland Ave., SW  
Washington, DC 20202

Dear Secretary Spellings:

On behalf of the National Education Association's 3.2 million members, I am writing to express our strong concerns with the Department's plan to shift the administration of the Title III English Language Acquisition grant program from the Office of English Language Acquisition (OELA) to the Office of Elementary and Secondary Education (OESE).

The purported rationale for this decision is that by sharing the monitoring and enforcement responsibilities of the state formula grants under Title I and Title III in the same office, staff will more easily and effectively work together, better coordinate their monitoring and enforcement efforts, and provide more consistent guidance to states regarding Title I and Title III programs for Limited English Proficient (LEP) students.

We are concerned, however, that this move may result in a reduced focus on LEP/English Language Learner (ELL) students and issues and a narrower enforcement of Title III accountability issues, as opposed to the Department focusing more broadly on the overall needs of ELL students and the programs that serve them. We also believe this move would result in less coordination between the functions left in OELA and those moved to OESE.

The timing of this move is problematic. With just a few months left in this Administration, we urge that you not implement this change, and instead have a study conducted to determine the impact this shift would have on existing Title I and III grants/programs as well as other OELA programs, and how it would impact monitoring schedules and procedures for Title III.

It is vital that ED maintain a broad policy focus on improving education for ELL students. A few facts reinforce this need:

- Most states have made little progress in raising the percentage of ELL students who have become proficient in English and progressed in core reading and math under NCLB.
- As of 2006, nearly three out of four LEP students were born in the United States.



November 13, 2008

The Honorable Margaret Spellings

Page 2

- During the past year, many states have had to revise or even redo incorrectly calculated or reported data about English learners, making the true state of ELL students' education hard to decipher.
- The pace of students' acquisition of academic English continues to lag as evidenced by LEP student scores in NCLB's core content areas of math and reading.
- Federal money for language acquisition has not substantially increased since the enactment of NCLB, and the \$163 grant per LEP student provided by Title III for 2008 will not provide ELL students with the full range of programs and services they need.
- Thousands of teachers working in English as a Second Language and bilingual programs need additional training to meet the needs of these learners.
- After six years of reporting, ED still cannot tell us how many students actually have access to effective, research-based programs.

In addition, the removal of the largest ELL program from OELA appears to violate at least the spirit of the Department of Education Organization Act passed in 1980. Section 210 of that law requires that there be an Office of Bilingual Education and Minority Language Affairs to “coordinate the administration of bilingual education programs by the Department....”

Thank you for consideration of our views. I look forward to hearing from you and discussing this issue.

Sincerely,

Dennis Van Roekel  
President

cc:

Senator Edward M. Kennedy, Chairman, Senate HELP Committee

Senator Mike Enzi, Ranking Member, Senate HELP Committee

Representative George Miller, Chairman, House Education and Labor Committee

Rep. Howard “Buck” McKeon, Ranking Member, House Education and Labor Committee



## CONFIDENTIAL – NOT FOR PUBLIC DISTRIBUTION

### EXECUTIVE ORDERS FOR REVIEW BY THE NEXT PRESIDENT

#### I. Civil Rights

##### The Faith-Based Initiative

The faith-based initiative has been a cornerstone of the Bush Administration, and began with his first two executive orders, numbers 13198 and 13199, issued on January 29, 2001. These orders establish the White House Office of Faith-Based and Community Initiatives, and similar offices in each executive agency, and charge them with eliminating obstacles to the ability of pervasively sectarian and community-based organizations to provide federally funded social services.

Executive Order 13396, dated March 7, 2006, established an office of faith-based and community initiatives in the Department of Homeland Security.

Executive Order 13279, dated December 12, 2002, also relates to the faith-based and community initiative. It prohibits discrimination on the basis of religion, allows social service providers that engage in inherently religious activities to receive federal funds so long as they offer those services separately in time and location from directly funded services, allows providers to participate fully in federal funding without altering their religious character so long as they don't apply federal funds directly inherently religious activities, and allows recipients of federal funds to use their facilities to provide social services without removing or altering religious art, icons, scriptures or other symbols.

The order also modifies EO11246, of September 24, 1965, which established nondiscrimination in employment by government contractors and subcontractors. It specifically waives for religious providers the requirement that government contractors not discriminate in employment based on religion, sex, race or national origin.

This initiative has led to federal funding of pervasively sectarian institutions that provide social services that are often infused with the religious mission of the providers. Families in need may thus face pressure to participate in religious exercises at facilities funded by the government. The policy also allows federally funded religious entities to discriminate in hiring on religious grounds, even for positions completely paid for by taxpayer dollars.

The U.S. Department of Education also issued regulations in June 2004 to implement the Executive Order: *Regulations on the Participation of Faith-Based and Community Organizations in Department Programs* <http://www.ed.gov/policy/fund/reg/fbci-reg.html>

*We recommend that these orders and regulations be revoked or modified to clarify that federal contractors, grantees, and other recipients of federal funds must comply with all federal civil rights, and labor laws, regulations, rules, and guidance. Contracts not*



*currently in compliance should be cancelled. A broad coalition of religious organizations, civil liberties groups and other unions has worked on this issue.*

## **Other**

Executive Order 13353, dated August 27, 2004, established the President's Board on Safeguarding Americans' Civil Liberties (within DOJ).

*It is unclear how this board has functioned, if at all. We recommend that the 44<sup>th</sup> President might reconstitute it to fulfill the purpose of protecting the civil liberties of all Americans.*

## **II. Education**

Several executive orders related to education could be revised to better achieve their stated objectives. Executive Order 13227, for example, created the President's Commission on Excellence in Special Education. Although it was used to promote a specific policy agenda related to the reauthorization of IDEA, the idea of a commission exploring best practices and funding options should be re-examined.

Executive Order 13230 creates the President's Advisory Commission on Educational Excellence for Hispanic Americans, while Executive Order 13256 established the President's Board of Advisors on Historically Black Colleges and Universities. All of these orders should be renewed, with an accompanying review of the composition of these bodies and review and release of all previously withheld reports of these bodies.

Executive Order 13398 established a National Mathematics Advisory Panel. Since it has issued its report, this panel is no longer needed.

## **III. Government Secrecy/Transparency**

Executive Order 13233 allows former presidents to deny access to their records.

*Presidential records are the property of the American people, and the Presidential Records Act should not be amended by executive order to grant former presidents the authority to unilaterally designate presidential records as privileged.*

## **IV. Labor**

The Bush Administration has also used executive orders to limit the rights of government employees and employees of federal contractors.



- Executive Order **13201** requires all government contractors to post a notice to employees informing them that they are not required to join a union or maintain membership in a union to retain their jobs. [Voided January 2, 2002 by federal judge Henry H. Kennedy, Jr., who ruled that the President illegally used federal procurement regulations to supersede federal labor laws]
- **13202** asserts that federal construction contracts may not require that bidders, subcontractors, etc adhere to agreements with labor organizations. Amended by EO **13208**, dated 4/6/01. This effectively barred the government from using project labor agreements, which have been used for decades to promote efficiency and economy in construction projects. [A federal court reversed this order in 2001.]
- **13203** revoked Executive Order **12871**, as amended by Orders **12983** and **13156**, which established the National Partnership Council, and required Federal agencies to form labor-management partnerships.
- **13204** revoked Executive Order **12933** of October 20, 1994, which requires that, with respect to contracts for public buildings, successive contractors must offer a right of first refusal of employment to employees of the prior contractor. The order also terminated any investigations or compliance actions based on the revoked order.

*AFL-CIO President John Sweeney characterized these four orders as “mean-spirited” and anti-worker.” Each of these orders should be revoked. The National Partnership Council should be re-constituted, and Federal agencies should again be required to form and implement labor-management councils. Executive Order 12933 should be restored, and the Secretary of Labor, the Federal Acquisition Regulatory Council, and heads of executive agencies should be required to issue orders, rules, regulations, guidelines, and policies implementing it.*

In the interest of national security, Executive Order 13252, dated January 7, 2002, expands the agencies exempt from the Federal Labor-Management Relations Program, to include the US Attorneys Offices, INTERPOL’s US National Central Bureau, the National Drug Intelligence center, the Office of Intelligence Policy and Review, and the Criminal Division of the Department of Justice.

*We recommend at minimum that the next President conduct a review of the national security issues implicated by the creation and conduct of labor-management relations programs in these departments, including the benefits to national security of such programs, with the intent to reinstate these programs.*

After Hurricane Katrina, the Bush recovery plan included an executive order that suspended the provisions of Davis-Bacon with respect to contractors awarded federal money to help rebuild the Gulf Coast. The U.S. Department of Labor followed this



action with a temporary waiver of most federal affirmative action laws for contractors awarded federal relief work contracts.

*We recommend the issuance of a new executive order reinforcing the new Administration's commitment to Davis-Bacon, and endorsing the importance of protecting workers' rights as one element of disaster recovery. The AFL-CIO has been active on this issue. The Economic Policy Institute issued a report that highlighted how appropriate disaster response could reinvigorate a damaged local economy. Lessons for Post-Katrina Reconstruction: High-Road vs. Low-Road Recovery*

## Environment

This Administration has used executive orders to fast-track energy exploration and slow the issuance of regulations that might interfere with that objective. We recommend the new President conduct a comprehensive review of executive policy related to energy and the environment, and rescind at minimum the following orders:

- Executive Order 13211 requires executive agencies to develop a Statement of Energy Effects regarding the potential impact of any proposed regulatory action that would affect energy supply, and propose alternatives to actions with adverse energy effects and the expected effects of such alternatives on energy supply.
- Executive Order 13212 requires executive agencies to expedite review of permits to accelerate completion of energy-related projects. It also creates an Interagency Task Force to monitor and assist agencies in their expedited review.
- Executive Order 13274 requires executive agencies to expedite review for permits related to DOT priority projects. It also creates an Interagency Task Force to facilitate expedited review of transportation infrastructure projects.
- Executive Order 13432, dated May 14, 2007, requires agencies undertaking regulatory action related to greenhouse emissions to coordinate with other agencies.



February 2, 2007

PROPOSED AMENDMENT TO THE  
LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959  
TO CLARIFY THAT ALL CLASSES OF “PURE” PUBLIC SECTOR UNIONS  
ARE EXCLUDED FROM THE COVERAGE OF THE ACT

There is no dispute about the fact that the Congressional purpose in enacting the Labor-Management Reporting and Disclosure Act of 1959 (“LMRDA”) was to regulate the internal affairs of private sector unions, and that public sector unions were to be excluded from coverage. The point now at issue is whether an “intermediate body” – such as an NEA state affiliate – that does not itself represent or seek to represent, and that has no local affiliates that represent or seek to represent, any private sector employees, is covered by the LMRDA. For over forty years, the Department of Labor (“DOL”) answered this question “no.”

In 2002, DOL changed its mind. Reversing its long-standing interpretation of the LMRDA, DOL took the position that an intermediate body that does not itself represent or seek to represent, and that has no local affiliates that represent or seek to represent, private sector employees is nonetheless covered by the LMRDA if its national affiliate is covered by the Act. In support of this new position, DOL stated that it had – since 1959 – been misinterpreting Section 3(j)(5) of the LMRDA. The relevant part of this Section provides that a union is covered by the LMRDA if it



is a conference, general committee, joint or system board, or joint council, subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection [i.e., referring to a private sector union that is covered by the LMRDA], other than a State or local central body. (Emphasis added.)

Although DOL – and, indeed, the entire American labor movement – had interpreted the underscored phrase to mean that a conference, general committee, etc. is covered by the LMRDA only if it includes one or more private sector local affiliates, DOL concluded in 2002 that this was a misinterpretation. According to DOL, the underscored phrase qualifies the term “national or international labor organization,” which means that a conference, general committee, etc. that does not itself represent or seek to represent, and that has no local affiliates that represent or seek to represent, private sector employees, is nonetheless covered by the LMRDA if its national affiliate is covered.

Because NEA is covered by the LMRDA, DOL – acting on its new interpretation of Section 3(j)(5) – asserted that more than thirty “pure” public sector NEA state affiliates that never previously were considered subject to the LMRDA, are now covered by the Act, and DOL demanded that they immediately comply with all of its provisions. The NEA state affiliates (“SEAs”) rejected DOL’s demand, and brought suit in the United States District Court for the District of Columbia challenging DOL’s new interpretation of § 3(j)(5). The District Court granted the SEA’s motion for summary judgment, holding that DOL’s new interpretation “would slip the LMRDA loose from its moorings in the



private sector and be contrary to the plain meaning of the statute, its legislative history, and the congressional purpose behind the law.” Alabama Education Ass’n v. Chao, 2005 WL 736535 (D.C. Mar. 31, 2005).

DOL appealed to the United States Court of Appeals for the District of Columbia Circuit, which reversed the summary judgment in favor of the SEAs. The Court of Appeals opined that the SEAs “well may have the better reading of” § 3(j)(5), but found an “ambiguity” in the language of the Section. The Court of Appeals concluded that DOL has the statutory authority “to resolve” this ambiguity – if DOL can support its new interpretation of § 3(j)(5) with a “reasoned analysis.” Alabama Education Ass’n v. Chao, 455 F.3d 386 (D.C. Cir. 2006). Because the Court of Appeals found that DOL had failed to provide such a “reasoned analysis,” it remanded the matter to the DOL for further proceedings.

On January 26, 2007, DOL published in the Federal Register a “Policy Statement; Interpretation,” purporting to provide a “reasoned analysis” in support of its new interpretation of § 3(j)(5). We believe that the DOL’s “Policy Statement; Interpretation” cannot withstand scrutiny, and intend to challenge it in the District Court. The litigation cycle is, thus, poised to begin anew.

The purpose of the proposed amendment is to eliminate what the Court of Appeals discerned to be an “ambiguity” in the language of § 3(j)(5), and to thereby effectuate what for more than forty years was universally understood to



be the intent of Congress: to bring all classes of private sector unions under the coverage of the LMRDA, while excluding all classes of “pure” public sector unions – including “pure” public sector “intermediate bodies,” such as the SEAs – from the Act’s coverage. The proposed amendment to § 3(j)(5) is attached.



Attachment

PROPOSED AMENDMENT TO  
SECTION 3(j)(5) OF  
LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

(Added Language Underscored)

(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

\* \* \*

(5) is a conference, general committee, joint or system board, or joint council, (i) which is subordinate to a national or international labor organization, and (ii) which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection, other than a State or local central body.





## Issues that Can Be Addressed by New Secretary of Education

- 1) Eliminate the cap of no more than 10 states being approved to institute differentiated accountability: <http://www.ed.gov/news/pressreleases/2008/03/03182008.html>
- 2) Clarify that the HOUSSSE (High, Objective, Uniform State Standard of Evaluation), as a method for teachers to meet the highly qualified requirement may still be used by states. A clear statement that HOUSSSE, which is a statutory provision, is not time-limited and may still be used by states, would be helpful.
- 3) Expand the definition used for the flexibility for rural school teachers in meeting the HQT provisions. This flexibility grants such teachers additional time to become highly qualified after they are hired. The policy guidance (<http://www.ed.gov/nclb/methods/teachers/hqtflexibility.html>) defines as eligible for this flexibility those rural school districts that meet the definition for the Small, Rural School Achievement Program (SRSA) in NCLB. However, there is another rural school definition in the law that should also be included, that is the Rural and Low-Income School Program. Doing so would expand how many districts and their teachers can utilize this flexibility.
- 4) Eliminate the determination that "A supplemental educational service provider, merely by being a provider, is not a recipient of Federal financial assistance. As a result, the above-referenced Federal civil rights laws are not directly applicable to a provider unless the provider otherwise receives Federal financial assistance for other purposes." This is a loophole that effectively shields private SES providers from civil rights laws. It was included in June 2005 guidance: <http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>. This guidance also says that religious SES entities are exempt from requirements that prohibit discrimination in hiring on the basis of religion. This is linked to the above determination that they are not recipients of federal funds.
- 5) The same guidance said that individual private SES providers do not have to serve either students with disabilities or ELL students. This should be reversed.
- 6) USED has also ruled that school districts that have been deemed in need of improvement are automatically barred from being SES providers. This should be reversed. As long as the LEA meets all the applicable criteria that apply to all SES providers, there should not be an automatic ban on such LEAs. Secretary Spellings has allowed limited waivers of this ban, but it should simply be reversed.





*Great Public Schools for Every Child*

**Working Draft – November 12, 2008**

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# **TRANSFORMING PUBLIC EDUCATION**

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## **A CATALOGUE OF NEA'S PRO-ACTIVE AGENDA AND INITIATIVES**



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**Working Draft -- November 12, 2008**

## **TRANSFORMING PUBLIC EDUCATION**

### **NEA'S PRO-ACTIVE AGENDA AND INITIATIVES**

The remarkable election of Barack Obama brought a new day to America. Instantly, the national conversation has ratcheted up as experts wrestle with the extraordinarily difficult challenges now facing the nation and world. In this conversation are expectations, including, as one Obama supporter put it, to “make our schools better.”

NEA has stated that our Association has a special responsibility to help improve our public schools. We have been acting on that belief in our work with members, other educators, and leaders from across the country who share the view that public education, from pre-K to college, must change to meet 21<sup>st</sup> century challenges.

A new White House administration focused on success – and a nation that demands it – brings fresh urgency to the issue of school improvement. Grappling with the issue will be exceedingly complex as our states and the federal government face budget disasters and deteriorating economies. But delaying school improvement is not an option, and solutions will take collaboration, fresh thinking, lively intellect, innovation, and resolute dedication.

NEA is proud that we are in a strong position to lead the change our members and schools need. For a number of years, we have been doing first-rate work on public school improvement in many locales and through many programs. And we are a nationwide organization with capacity to affect change in many states through collective bargaining, legislative and policy activism, and national programs of state partnerships.

For example, in 2002, NEA co-founded the Partnership for 21<sup>st</sup> Century Skills (P21). Now numbering 38 partners and located in 10 participating states (and growing), P21 has led the national discussion about adding 21<sup>st</sup> century skills and knowledge into the curriculum. With NEA's support, P21 has been focusing on aligning classroom environments with real world environments and infusing 21st century skills.

Two years ago, NEA adopted the Great Public Schools criteria. These seven criteria have driven NEA advocacy for sound federal policy, including action on ESEA reauthorization, and shaped initiatives and programs of NEA that are being implemented across the nation.

The times now require NEA and state affiliates to contemplate additional action we can take to advance our vision of a great public school for every student.



## **Transformation for Great Public Schools – A 50 State Strategy**

In NEA’s paper, *Great Public Schools for Every Student by 2020*, we emphasized that “Schools, districts, and states – not the federal government – are the primary engines of public school transformation.” The focus of school improvement must be at the state level.

As reflected in our core values, NEA has demanded that the experience and knowledge of school professionals must be respected and included in any state and local planning process and decisions about school improvement. Collective bargaining and other negotiations facilitate the collaboration, cooperation and compromise necessary for change. The valuable perspective of teaching and education professionals is fundamental to designing improvement that is supported by those in the system, that works for students, and that is sustainable.

NEA also believes that school transformation should incorporate the great public schools criteria, which are supported by extensive research.

**A Process for Change.** These factors— a state focus, a commitment to professionalism and collective action, and reliance on expertise and programs that work – along with the knowledge of our experiences have led to a new approach for the process of public school improvement.

That process of improvement is transformation, and we – the national NEA in conjunction with NEA state affiliates – have an historic opportunity to employ this process to achieve the ambitious goal of a great public school for every child.

Transformation is a long-term, sustainable process to change the current reality—a public education system that does not adequately nor equitably serve all of our members, students, and communities – to a new reality in a desired future: a great public school for every child.

Transformation goes beyond short-term reforms or minor tinkering with the current system. Transformation involves a process that results in systemic change where there is alignment of policies, practices, leadership, and operations that create great public schools. Because each state is unique, the process for transformation will not look the same in every state, but the process will include at the state-level, multi-stakeholder involvement.

Starting in September, NEA has worked to align our resources to our new Strategic Intent: to **transform public education at the state level**.

We fully recognize the ambitiousness of such an intent. We also believe that our Association must take on this challenge and that we have the talent and scope to make a difference.



## I. NEA INITIATED/CO- SPONSORED TRANSFORMATION INITIATIVES

To inform additional discussion, NEA has created this catalogue, which summarizes major initiatives and frameworks that have the prospect of affecting the system of public education in the United States.

Some of these initiatives and frameworks are designed by NEA to help reach the goal of great public schools for every student by 2020. Some initiatives and frameworks are not designed by NEA, but are among those we strongly support. Others are underway in states that we are monitoring. The paper also summarizes NEA's proposal to redefine the federal role in education to support states in their transformation efforts, as well as other federal role proposals.

In addition to the initiatives summarized in this paper, there are other activities underway that also have an impact on transformation. At the local level, the Teacher Union Reform Network of AFT and NEA locals (TURN) is working to "collaborate with other stakeholders in public education and to seek consistently higher levels of student achievement." There are also many foundations – including our own NEA Foundation - funding an array of transformation efforts, with some projects supported by NEA and some promoting programs and policies we disagree with. A partial list includes:

- The Annenberg Foundation (PreK-12 education)
- Bill and Melinda Gates Foundation (high schools, early learning)
- The Broad Foundation Education (urban education, school leadership)
- The Carnegie Corporation (education, child development)
- Charles A. Dana Foundation (research, school reform)
- DeWitt Wallace-Reader's Digest Fund (improve education, low income)
- John D. and Catherine T. MacArthur Foundation (education, community)
- Pew Charitable Trusts (education, policy)
- Rockefeller Brothers Fund (teacher education)
- Spencer Foundation (research, fellowship programs)
- Nellie Mae Educational Foundation (literacy, after school, minority, adult literacy)
- Verizon Foundation (technology, literacy)
- The Sprint Foundation (technology, teacher skills)



- Corning Foundation Grants (education, curriculum enrichment)
- Educational Foundation of America (general education)

We anticipate that this information will be regularly updated and refined as initiatives develop and change.

### 1. Transformational Dialogue for Public Education (TDPE)

Many people and institutions are focused on improving public education through efforts that call for changes such as more financial investments, longer school hours, allowing parents to choose schools, letting market forces (as with voucher systems) determine quality, or going back to the basics.

What all of them have in common is the assumption that the basic design (and aim) of our education system is sound—it just needs some tweaking. Even efforts such as charter schools and vouchers are about individual pockets “escaping from” what they conclude to be a broken system, rather than offering a real alternative education system for everyone. Thus, most attempts to “fix” the educational system focus on narrow aspects of the larger system and attempt to improve them, believing that the goal is to fix the broken pieces. The unfortunate result of such tactical approaches to change is an array of fractured, piecemeal efforts that show promise only in an isolated and unsustainable manner as evidenced by the unsatisfactory evaluation reports of multi-million dollar education reform programs.

Because the causes of our current educational “crisis” are so complex and deeply embedded, only changes at the most fundamental levels of the system will have lasting results. There is no one quick and simple answer that will provide the total solution. There is, however, a critical piece which is missing and which is required to realize the full potential of the billions of dollars being invested and the myriad of efforts that are currently underway. The missing piece is a clear and coherent *core purpose* and a set of *core values*—a shared core ideology—to which all the stakeholders in the education system are aligned and which would form the foundation on which to re-conceive and rebuild our public education system for the future.

In conjunction with the KnowledgeWorks Foundation and Dr. Daniel Kim, NEA is leading the effort around the Transformational Dialogue for Public Education (TDPE).

**TDPE is based on four core tenets:**

- a. **Going to the Root of the Root.** This initiative is about “going to the root of the root” by challenging our prevailing assumptions concerning the relevancy and adequacy of the whole system as it currently stands.



- b. The Need to Re-conceive and Optimize at the State Level.** If we are to truly transform public education, all the stakeholders at the state level must pledge that their individual purposes are subordinate to the larger purpose of the public education system to whose optimization they are all committed.
- c. No Organizational Transformation without Personal Transformation.** A very important distinguishing aspect of this initiative is that it is based on the fundamental premise that true lasting change can only come through the personal engagement and development of those who are directly responsible for the system. In other words, we must work with those who are in the system to formulate new solutions rather than create solutions for them, or worse, apply solutions to them.
- d. Enduring Revolution through Persistent Evolution.** This initiative will move only as fast as the depth of the dialogue team's clarity and commitment allows, and that depth will be determined by the individual and organizational transformations that are occurring as part of the process.

Ohio is the first state to engage in TDPE, having started in 2007. In our current plans, the two new states to form the second cohort in 2008 will be Kansas and one other state. Working with the lead state of Kansas will be other "Preparatory" states, such as Arizona, North Carolina and Maine. Working with the second lead state will be the "Preparatory" states of Illinois, Florida and Maryland. Other states, such as Colorado, New Hampshire, Massachusetts, Arkansas, Delaware, Pennsylvania, Virginia and West Virginia also may consider their engagement with the 2009 group.

For additional details on TDPE see: *Transformational Dialogue for Public Education: 50-State Strategy Concept Paper*:  
<http://insidenea.nea.org/NEABiz/NEATomorrow/Documents/What%20We%20Are%20Reading/TDPE%20Concept%20Paper-v3.0.6.doc>

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## 2. Great Public Schools Criteria and Indicators

<http://www.nea.org/esea/posagendaexecsum.html>

As part of the Positive Agenda for ESEA that was adopted by the 2005 Representative Assembly, NEA established seven criteria for Great Public Schools:

- a. School Readiness Programs and Services**  
*Quality programs and services to meet the full range of all children's needs so that they come to school every day ready and able to learn*
- b. Workforce Quality**  
*A qualified, caring, diverse and stable workforce*



- c. **Conditions of Teaching and Learning**  
*Quality conditions for teaching and lifelong learning*
- d. **Parent and Community Involvement**  
*Parental, family and community involvement and engagement*
- e. **Curriculum and Standards**  
*High expectations and standards with a rigorous and comprehensive curriculum for all students*
- f. **School Accountability and Student Assessment**  
*Shared responsibility for appropriate school accountability by stakeholders at all levels*
- g. **School Funding**  
*Adequate, equitable and sustainable school funding*

The GPS framework described in the *Positive Agenda* is based on the assumption that in order for schools to influence student outcomes, appropriate education policies and practices must first be implemented. Since, for the most part, policies and practices in education, known as indicators, are established at the state level, this is the level at which the GPS Indicators Project is focused. This project will provide an opportunity for NEA and state affiliates, as well as external researchers and policymakers, to assess the adequacy of state policies and practices for improving student achievement and closing the achievement gap.

This project will permit a broad array of policies and practices, described as indicators, to be examined across states in a comparative fashion to show which states are leading the way in implementing the prescribed GPS policies and practices and those that need to increase adoption of such policies and practices. Comparative rankings across states on these indicators could potentially be used as an advocacy tool for the unions, professional associations, and other education advocates to lobby state legislatures, state superintendents and state boards of education. For policy advocates, the state-level rankings could serve as a resource to help educate policy-makers on what their states' goals and expectations should be.

The Educational Policy and Practice (EPP) department is developing the indicators and will shortly convene a working group to refine the indicators and then move to field test the indicators in pilot states.

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### 3. **Partnership for 21st Century Skills** <http://www.21stcenturyskills.org/index.php>

The Partnership for 21st Century Skills has emerged as the leading advocacy organization focused on infusing 21st century skills into education. The organization brings together the business community, education leaders, and policymakers to define a powerful vision for 21st century education to ensure every child's success as citizens and workers in the 21st century. The Partnership encourages schools, districts



and states to advocate for the infusion of 21st century skills into education and provides tools and resources to help facilitate and drive change.

NEA was one of the founders of the Partnership in 2002, which now includes 38 members, primarily high-tech businesses.

**The Partnership's Mission Statement is to:**

*Serve as a catalyst to position 21st century skills at the center of U.S. K-12 education by building collaborative partnerships among education, business, community and government leaders.*

**Twenty First Century Children**

Every child in America needs 21st century knowledge and skills to succeed as effective citizens, workers and leaders in the 21st century.

There is a profound gap between the knowledge and skills most students learn in school and the knowledge and skills they need in typical 21st century communities and workplaces.

To successfully face rigorous higher education coursework, career challenges and a globally competitive workforce, U.S. schools must align classroom environments with real world environments by infusing 21st century skills.

This skill set includes:

- Information and communication skills (information and media literacy skills; communication skills)
- Thinking and problem-solving (critical thinking and systems thinking; problem identification, formulation and solution; creativity and intellectual curiosity)
- Interpersonal and self-direction skills (interpersonal and collaborative skills; self-direction; accountability and adaptability; social responsibility)
- Global awareness
- Financial, economic and business literacy, and developing entrepreneurial skills to enhance workplace productivity and career options
- Civic literacy

The Partnership's model for 21st century learning has gained dramatic support and momentum.

The Partnership is currently working with North Carolina Governor Mike Easley and West Virginia Governor Joe Manchin on major, statewide 21st century skills initiatives. The Council of Chief State School Officers (CCSSO) has chosen 21st century skills as a major leadership topic. The U.S. Conference of Mayors passed a policy resolution supporting a framework for 21st century skills. The resolution supports and encourages the development and implementation of comprehensive standards and skills required for 21st century jobs through establishing new policies,



practices and programs in cities to better prepare students and enhance their opportunities. Since its inception in 2002, the Partnership has more than tripled its membership, growing from eight founding organizations to 38 members representing America's leading business, technology and education organizations. The Partnership's work has been endorsed by the U.S. Department of Education.

Ten states currently belong to the Partnership: Arizona, Iowa, Kansas, Maine, Massachusetts, New Jersey, North Carolina, South Dakota, West Virginia and Wisconsin. Four others are in the process of initiating their involvement: Illinois, Indiana, Nebraska and Utah.

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#### **4. State Learning First Alliances**

The Learning First Alliance (<http://www.learningfirst.org/>) is a permanent partnership of 18 leading education associations, including NEA, with more than 10 million members dedicated to improving student learning in America's public schools. It shares examples of success, encourages collaboration at every level, and works toward the continual and long-term improvement of public education based on solid research.

In 2000 the national Learning First Alliance launched an initiative to form state-level alliances similar to the national effort. Partnerships between the Learning First Alliance and state-level alliances seek to provide new models of how associations and organizations within a state can work together to boost student achievement. The national Alliance currently supports a pilot network of 10 state-level Alliances in: Alabama , Arizona, Kansas, Michigan, Minnesota, New York, Ohio, Rhode Island, Washington and West Virginia.

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#### **5. Authentic State Accountability Systems**

One of NEA's five Strategic Goals for 2008-10 is to "Ensure all state affiliates have available research, technical assistance, and/or other appropriate strategic support to secure public policy that redesigns accountability systems to authentically assess student learning and achievement gaps resulting in at least 10 states with new accountability systems."

NEA will partner with state affiliates to provide them the tools and expertise needed to redesign state accountability systems in order to authentically assess student learning and achievement gaps. The focus of our work will be to assist at least 10



states with securing public policy that result in redesigned accountability systems. We will provide solid research about accountability systems and student assessments, as well as a new accountability framework that can be used by affiliates as they strive to accomplish this goal.

An initial round of grants was distributed to three state affiliates: Delaware, Illinois, and Oklahoma. Other NEA state affiliates, such as New Mexico and Wisconsin, are also actively working to revamp their state's accountability system.

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**6. Tax structures, Economic development policies, and Funding for schools (TEF)**  
<http://insidenea.nea.org/KnowledgePlace/ResearchInfo/Pages/TEF.aspx>

TEF, another of NEA's strategic goals, is a bold new economic idea that integrates Tax structures, Economic development policies, and Funding for public education into one inseparable concept. It places investment in public education at the center stage of the economic development debate. It is grounded in human capital theory in economics, and it is based on empirical analysis of 30 years of TEF data in all 50 states.

TEF has three essential, inseparable characteristics —

- *Tax structures that are fair, broad-based, stable, and in sync with our economy.* Taxes are the collective investment we make to create and maintain a prosperous, safe society. A fair system of taxation is the best way to maintain such a society.

Today, state and local tax structures are unfair. On average, the richest among us pay about \$5 of every \$100 of income in state and local taxes while the poorest pay about \$11. In the meantime, the share of taxes paid by corporations as a percentage of their profits has declined 50% over the last 20 years. All citizens should pay a fair share. **Make taxes fair. Close tax loopholes.**

- *Economic development policies that level the playing field for business.* The economic playing field for business is not level. Big business gets tax subsidies — without any accountability or regard for their impact on schools, and school-age children — while small businesses struggle to compete. It's not government's job to pick winners over losers. All businesses should have a fair chance to compete in the new economy. **Level the economic playing field for business.**
- *Funding for schools that is adequate and equitable.* Adequate and equitable funding for public schools is the necessary first step toward building schools' capacity to do their job. In no American state is funding for public schools adequate or equitable. All children deserve a fair chance to succeed in the 21st century. All children have a basic right to a great public school. **Make funding for schools adequate and equitable.**



NEA is working with all 50 state affiliates on an as-needed basis, and actively working with six affiliates (Arizona, Colorado, Illinois, Michigan, New Jersey and Utah) to transform their state's TEF policies.

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#### 7. **Public Engagement Project/Family-School-Community Partnerships (PEP/FSCP)**

<http://insidenea.nea.org/Departments/EPA/Pages/Family-SchoolCommunityPartnerships.aspx>

NEA's PEP/FSCP initiative provides local affiliate grantees with support, structure, and materials to address achievement gaps in their communities. Utilizing a five-step process, a local coalition of diverse stakeholders is formed to take ownership and to drive the project. A series of public community conversation events leads participants in identifying the community's priority needs in closing achievement gaps. NEA then provides training to mobilize the community around its specific needs while also encouraging the community to identify local resources as well. PEP/FSCP allows communities to view the Association as a partner and credible agent of change. It also provides a tool for membership engagement and recruitment. Finally, communities are leading the charge to replicate their success in other locales throughout the state. Twenty-one state affiliates have or plan to implement PEP/FSCP projects.

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## II. OTHER STATE-BASED INITIATIVES WE ARE MONITORING

In addition to the above pro-active transformation initiatives, NEA is also actively monitoring and engaging with several initiatives and programs sponsored by other organizations.

The following is a brief summary of those.

1. **The New Commission on the Skills of the American Workforce** issued a report last year titled *Tough Choice or Tough Times* (TCTT). The report found that "The core problem is that our education and training systems were built for another era, an era in which most workers needed only a rudimentary education. It is not possible to get where we have to go by patching that system. There is not enough money available at any level of our intergovernmental system to fix this problem by spending more on the system we have. We can get where we must go only by changing the system itself."



Further, “It is that we do not need new programs, and we need less money than one might think. The one thing that is indispensable is a new system. The problem is not with our educators. It is with the system in which they work.”

The report made the following 10 recommendations for changing the public education system, primarily by working through and with states.

- **STEP 1:**  
*Assume that we will do the job right the first time*
- **STEP 2:**  
*Make much more efficient use of the available resources*
- **STEP 3:**  
*Recruit from the top third of the high school graduates going on to college for the next generation of school teachers*
- **STEP 4:**  
*Develop standards, assessments, and curriculum that reflect today’s needs and tomorrow’s requirements*
- **STEP 5:**  
*Create high performance schools and districts everywhere — how the system should be governed, financed, organized, and managed*
- **STEP 6:**  
*Provide high-quality, universal early childhood education*
- **STEP 7:**  
*Give strong support to the students who need it the most*
- **STEP 8:**  
*Enable every member of the adult workforce to get the new literacy skills*
- **STEP 9:**  
*Create personal competitiveness accounts— a GI Bill for our times*
- **STEP 10:**  
*Create regional competitiveness authorities to make America competitive*

NEA has engaged in discussions with staff and leaders of the Commission, primarily staff director Marc Tucker and Commission member William Brock (former U.S. Senator and former U.S. Secretary of Labor) about a potential federal demonstration project based on TCTT. Tucker has proposed legislation to create a federal six-state pilot program, whereby up to six states – to be selected by the U.S. Secretary of Education – would be granted \$10 million a year for each of five years to enact state policies to accomplish elements of TCTT.

NEA was successful in deleting from this draft demonstration program unacceptable elements of TCTT, such as the proposed replacement of defined benefit pension plans with defined contribution plans for new employees, as well as successful in incorporating strong collective bargaining protections.



This draft legislation would require states that receive funds “to create or adopt over a period of time the following framework: a new system of Board examinations that are syllabus-based and internationally benchmarked; a system to train, recruit, and retain most of their teachers from the top third of those entering four-year colleges nationally; a redesigned state-wide teacher compensation system; a system of public contract schools supported by state-based pupil-weighted funding that results in an equitable system of school funding; a system of high quality early childhood education; and strong supports for the most disadvantaged students including smaller class sizes, extended time in school, screening and diagnosis services, tutoring, mentoring and counseling.” The draft requires that states engage in collective bargaining over the revised teacher compensation system.

NEA also made clear to the TCTT representatives that a NEA state affiliate would have to sign-off on its state’s participation in the pilot.

A September 30, 2008 letter from President Van Roekel and Executive Director John Wilson to Marc Tucker (President, National Center on Education and the Economy) said,

“...we strongly support your draft proposal to provide federal resources for state-based transformation and innovation. I know you understand that our endorsement of your proposals does not mean that we necessarily endorse every proposal you made, but, as you also know, we have decided that we will support any state affiliate of the NEA that decides to join their governor, chief state school officer, and others in a plan they help to develop for implementing *Tough Choices* in their state. And we have also decided to encourage our affiliates to listen hard and with an open mind to your proposals.”

On October 30, TCTT announced that three states have announced their intentions to implement the TCTT framework: Massachusetts, New Hampshire and Utah.

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## 2. **The American Diploma Project** <http://www.achieve.org/node/604>

The American Diploma Project (ADP) is an Achieve initiative created to ensure that all students graduate from high school prepared to face the challenges of work and college. Created by the nation's governors and business leaders, Achieve “helps states raise academic standards and achievement so that all students graduate ready for college, careers and citizenship.”

The ADP Network includes 33 states dedicated to the same goal. ADP is designed to ensure that all states:



- Align high school standards and assessments with the knowledge and skills required for success after high school.
- Require all graduates to take rigorous courses - aligned to college- and career-ready standards - that prepare them for life after high school.
- Streamline the assessment system so that the tests students take in high school also can serve as placement tests for college and hiring for the workplace.
- Hold high schools accountable for graduating students who are ready for college or careers and hold postsecondary institutions accountable for students' success once enrolled.

These states are part of the ADP Network: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, Washington and Wisconsin.

NEA has monitored ADP's work in states and shared information among state affiliates. Wisconsin is working to merge and integrate their state's P21 and ADP initiatives.

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### **3. Strategic Management of Human Capital In Public Education (SMHC)** <http://www.smhc-cpre.org/>

This project, which is under the auspices of the Consortium for Policy Research in Education (CPRE), seeks “the strategic redesign of human capital management systems for teachers and other leaders in the nation’s largest 100 public school districts. The project, funded by the Carnegie Corporation of New York, the Gates Foundation and the Joyce Foundation, is headed by Allan Odden and James Kelly.”

According to its website, “Featuring a prestigious Task Force, chaired by Governor Tim Pawlenty of Minnesota, the project is: 1) defining strategic management of human capital in public education; 2) creating a network of leaders actively reengineering human capital management systems in public education, 3) documenting the nature and impact of leading-edge human capital management systems in several districts and states, 4) establishing Strategic Management of Human Capital (SMHC) as a prominent issue on the nation’s education reform agenda, and 5) advancing local and state policies to support widespread adoption of SMHC in public education. Our goals are to improve the quality of classroom instruction and student outcomes in K-12 classrooms by radically improving the strategic management of teaching and instructional leadership talent – human capital – in large, public school districts.”



NEA President Dennis Van Roekel is a member of the Task Force, as is AFT President Randi Weingarten.

SMHC is conducting case studies to document the impact of SMHC reforms in six places: (1) New York City; (2) Chicago; (3) Boston; (4) Long Beach, CA; (5) Fairfax County, VA; and (6) the state of Minnesota's "Q-Comp" program. Additional case studies are being conducted by Teach for America, the New Teacher Project, and New Leaders for New Schools.

#### **4. Expert Advisory Group On International Benchmarking**

Three of the nation's leading education policy organizations in early September joined together to "ensure American students in every state are receiving a world-class education. The National Governors Association (NGA), Council of Chief State School Officers (CCSSO) and Achieve, Inc. have joined to provide states a roadmap for benchmarking their K-12 education systems to those of top-performing nations."

"The organizations' work will be guided by an International Benchmarking Advisory Group consisting of education experts representing education institutions, the business community, researchers, former federal officials and current state and local officials... The Advisory Group's expertise and experience will help the partner organizations identify the need for international comparisons as well as provide guidance for benchmarking state education system practices in areas such as standards, accountability, educator workforce and assessments. The Advisory Group is co-chaired by Arizona Gov. Janet Napolitano, Georgia Gov. Sonny Perdue and Craig Barrett, chair of the board at Intel Corporation."

While neither NEA nor any teachers are members of the Advisory Group, NEA leaders and staff have had discussions with both NGA and CCSSO about Association involvement.

NEA staff contact: Joel Packer (Education Policy and Practice), [jpacker@nea.org](mailto:jpacker@nea.org)

### **III. NEA INITIATED AND CO- SPONSORED EFFORTS TO REDEFINE THE FEDERAL ROLE IN EDUCATION**

While the above pro-active initiatives are focused on transforming public education at the state level, NEA is also advocating for change in the federal role in education.

#### **1. Great Public Schools for Every Student by 2020**

<http://www.nea.org/lac/federalrole.html>

In July 2008 we released our "white paper" on the federal role, which acknowledges that transformation will primarily take place at the state level, and calls for a rebalancing of the federal role.



Specifically, it calls for the federal government to focus on the following six areas in elementary and secondary education.

- Support the profession of teaching as a desired and complex field of study and practice.
- Federal guarantee for the sustained funding of Title I and IDEA and for special needs populations.
- Equal access to educational services and supports.
- Support state-led public school transformation through authentic accountability that is publicly transparent.
- Establish high-quality educational research and development as essential to educational improvement.
- Support innovation and best practices to accelerate state-based improvement efforts and improve student learning based on proven teaching strategies and programs grounded in sound teaching and learning research.

GPS by 2020 also includes specific principles for the reauthorization of ESEA:

<http://www.nea.org/esea/policy.html>.

## 2. **Broader, Bolder Approach**

<http://www.boldapproach.org/>

NEA is also supporting several coalition initiatives to redefine the federal role that are consistent with GPS 2020. The *Broader, Bolder Approach to Education* is the product of deliberation by leaders with diverse religious and political affiliations, and experts in the fields of education, social welfare, health, housing and civil rights. The statement examines areas that research shows must be addressed if we are to keep our promises to all of America's children.

"After six years, it has become clear that No Child Left Behind has not succeeded in improving the quality of education available to America's neediest children. This Task Force is united around the need for a more comprehensive approach to federal policy that specifically responds to the needs of children and schools in low-income areas," said Co-Chair Pedro Noguera. "Our 'Bold Approach' identifies critical community support systems that can effectively work to narrow the disheartening achievement gap that exists in America."

Co-chaired by Helen Ladd, a Duke University professor of public policy studies; Pedro Noguera, a sociologist at New York University and an expert on educational policy; and Tom Payzant, a professor at the Harvard Graduate School of Education, a former Boston schools superintendent and U.S. assistant secretary of education, the Task Force's framework points to the many flaws in the approach of the current NCLB law and charges that the nation's education and youth development policy has erred by relying on school improvement alone to raise achievement levels of disadvantaged children.



The *Broader Bolder* statement has been signed by several NEA leaders and staff.

### 3. Community Agenda for Schools

<http://www.thecommunityagenda.org/>

NEA is one of more than 100 organizations that have endorsed the Community Agenda, which is built on four core beliefs:

- **Communities and schools are fundamentally and positively interconnected.** Engaged communities build strong schools; effective schools are essential to strong communities.
- **Schools can make a difference in the lives of all children.** The quality of schools matters. High academic standards, rigorous curricula, high-quality teachers, effective school leadership, aligned tests, accountability, and strong professional development are important factors for student success.
- **Children do better when their families do better.** We recognize this inextricable connection and actively support the strengthening and empowering of families.
- **The development of the whole child is a critical factor for student success.** Children grow into successful adulthood through high-quality instructional opportunities in school and out of school; by exploring their talents and interests through experiences that stretch their aspirations; and by receiving the social, emotional, and physical support they need to succeed.

The following recommendations will guide the signatories to The Community Agenda:

- Results-Focused Partnerships
- Youth, Parent, School, and Community Involvement
- Community–School Coordination
- A Broad-Based Accountability Framework – a single, standardized test should not be the only basis for judging schools or students.
- Public Access to Data
- Increased Investments
- Professional Development and Capacity Building

### 4. Learning First Alliance: *Transforming the Federal Role in America's Public Schools*

<http://www.publicschoolinsights.org/resources.dyn/LFAFederalRoleFINAL.pdf>

On October 13, the Learning First Alliance (LFA) released its set of principles calling for a new federal role in education. NEA is one of the 18 leading education associations in LFA. The LFA principles “emphasize support for students in need, as well as more effective and transparent accountability among key players in the system. The principles also call for greater collaboration among the federal government, states and districts.”



The LFA statement outlines six principles for federal involvement in public education:

- Support a Broad Vision of Student Learning.
- Ensure Adequate Funding for Students in Need.
- Foster Shared Accountability for Student Learning.
- Encourage a Comprehensive Approach to Supporting Students and Families.
- Support Education Research and Development.
- Support the Education Profession.

#### 5. Other Federal Role Proposals

In addition to the above coalition proposals to redefine the federal role, the Forum on Educational Accountability will soon release a detailed proposal for the ESEA reauthorization entitled *Empowering Schools to Improve Student Learning*. NEA will be one of the supporters of this document.

Other organizations have also released similar policy frameworks including the Forum on Education and Democracy's *Democracy at Risk*; The Association for Supervision and Curriculum Development's Whole Child Initiative (endorsed by NEA); and the American Association of School Administrators' All Children Will Learn plan.

## IV. OTHER FEDERAL ROLE PROPOSALS WE ARE MONITORING

### 1. Education Equality Project

<http://www.educationequalityproject.org/>

The Education Equality Project is co-chaired by New York City public schools Chancellor Joel Klein and the Reverend Al Sharpton, President of the National Action Network.

According to its website, it is “a non-partisan group of elected officials, civil rights leaders, and education reformers that has formed to help ensure that America finally brings equity to an educational system that, 54 years since *Brown v. Board of Education*, continues to fail its highest needs students. The project will take on conventional wisdom and the entrenched impediments to real reform, focusing on teacher quality and pay; accountability for results; and maximizing parents' options. It will also challenge politicians, public officials, educators, union leaders, and anybody else who stands in the way of necessary change. This means challenging laws and contracts that preserve a system that fails students. The one measure of every policy, regardless of the depths of its historic roots or the power of its adherents, must be whether it advances student learning.”

Unfortunately, its Statement of Principles, places the blame for creating the “crisis” in public education on “teachers’ union contracts”. Among the signers of its statement



are Senator John McCain, former Florida Governor Jeb Bush, and former House Speaker Newt Gingrich. Several leaders of the Education Equality project participated in an education event at the Democratic National Convention in Denver that was heavy on anti-union sentiments.

According to an *Education Week* blog on the event, “The fight against the teachers’ unions and other special interests is a ‘battle at the heart of the Democratic Party,’ said Newark Mayor Cory Booker.”

## **V. Additional Background: NEA’s Role in Shaping an Emerging Consensus to Public School Improvement**

NEA also has devoted significant resources to activities to improve public schools by helping to:

- Close the achievement gap;
- Reduce the dropout rate; and
- Fight for professional pay and improved teacher professional development.

National action by NEA is complemented by on-the-ground action of state and local affiliates. Many of these efforts are showing significant results.

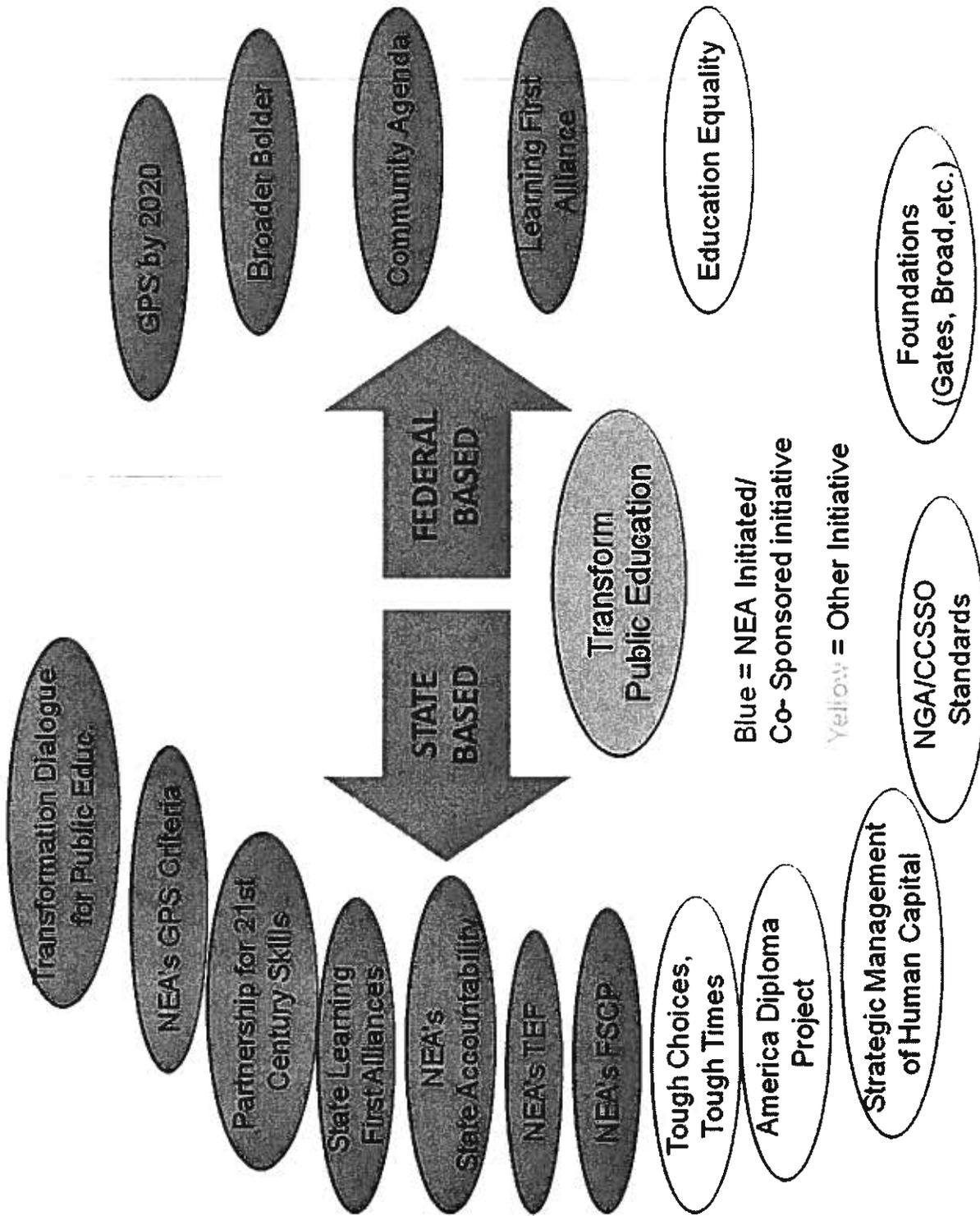
Pro-public education allies have echoed NEA’s ideas. At the Learning First Alliance 2007 summit in Washington, DC, over 300 leaders, including many NEA national and state affiliate leaders, met to articulate a shared vision for America’s public schools. Attendees agreed that public schools should tailor instruction to the individual needs of students. Schools should have top flight teaching and strong instructional leadership. Schools should have a high-quality and relevant curricula, imparting rich core content. And schools should be safe, inspiring places that are well connected to the community.

Because of the commitment to the “public” in public schools, NEA along with other pro-public education leaders believe that public schools should offer greater transparency of school processes to the public; strong collaboration with community partners; flexibility so schools can meet specific needs of local student populations and a long-term, sustained commitment to programs of improvement.

The results of NEA work – along with the studies, ideas, and experiences of other educators – have helped to inform NEA’s thinking about what constitutes meaningful strategies to improve public schools. And yet, although there is value in the work NEA has been doing, the activities by themselves clearly do not have the scope to reach millions of students and make the change our students – and our members – need.



NEA has concluded that our association should find new ways to leverage the “system” of public education in order to accelerate and expand improvement efforts. Transformation must expand what is best in public school systems and identify and systemically change what is not working.





**Transformation Frameworks Areas of Impact on GPS Criteria**

	School Readiness	Standards & Curriculum	Assessment & Accountability	Quality Workforce	Teaching & Learning Conditions	School Funding	Parent/Community Engagement
<b>STATE-BASED INITIATIVES</b>							
<b>Could encompass any and all of the criteria</b>							
<b>*TPDE</b>							
<b>*P-21</b>	X	X	X	X	X		
<b>*SAG</b>		X	X				
<b>*TEF</b>						X	
<b>*FSCP</b>							X
<b>TCTT</b>	X	X	X	X	X	X	
<b>ADP</b>		X	X		X		
<b>SMHC</b>				X			
<b>IB</b>		X	X	X			
<b>FEDERAL-BASED INITIATIVES</b>							
<b>*Fed Role- GPS 2020</b>	X		X	X	X	X	
<b>*BBA</b>	X				X		X
<b>*CAS</b>		X	X	X	X	X	X
<b>*LFA</b>			X	X	X	X	
<b>EEP</b>			X	X			X
<b>IB: CCSSO/NGA</b>		X	X	X			



- key: \* = NEA Initiated/Co-Sponsored**
- ADP = American Diploma Project**
- BBA = Broader, Bolder Approach to Education**
- \*CAS = Community Agenda for Schools**
- EEP = Education Equality Project**
- \*Fed Role = Great Public Schools for Every Student by 2010**
- \*FSCP = Family, School, Community Partnerships**
- IB = International Benchmarking**
- \*LFA = State Learning First Alliances**
- \*P-21 = Partnership for 21<sup>st</sup> Century**
- \*SAG = NEA State Accountability Grants**
- SMHC = Strategic Management of Human Capital**
- TCTT = Tough Choices, Tough Times**
- \*TDPE = Transformational Dialogue for Public Education**
- \*TEF = Tax structures, Economic development policies, and Funding for schools**



### STATE BASED TRANSFORMATION OPPORTUNITIES

This chart reflects states with formal participation or work with these groups. State governments and NEA state affiliates vary in their current level of activity in the initiatives.

11.12.08

NOTE: A "x" indicates that a state is either currently participating in the designated initiative or intends to participate.

	NEA INITIATED/CO-SPONSORED							OTHER INITIATIVES			
	TDPE Transformational Dialogue for Public Education	P21 Partnership for 21 <sup>st</sup> Century Skills	LFA State Learning First Alliances	NEA State Accountability Grants	TEF Tax structures, Economic development policies, and Funding for schools	FSCP Family School Community Partnerships	TCTT Tough Choice, Tough Times	ADP American Diploma Project	SMHC Strategic Management of Human Capital		
Alabama			x Preliminary					x			
Alaska						x					
Arizona	x preparing	x	x		x			x			
Arkansas	x preparing					x					



NEA INITIATED/CO-SPONSORED								OTHER INITIATIVES					
	TDPE Transformational Dialogue for Public Education	P21 Partnership for 21 <sup>st</sup> Century Skills	LFA State Learning First/Alliances	NEA State Accountability Grants	TEF Tax structures, Economic development policies, and Funding for schools	FSCP Family School Community Partnerships	TCTT Tough Choice, Tough Times	ADP American Diploma Project	SMHC Strategic Management of Human Capital				
California						*		*	*				
Colorado	*				*	*		*	*				
Connecticut						*		*	*				
Delaware	*			*				*	*				
Florida						*		*	*				
Georgia						*		*	*				















**ESEA/NCLB**  
**Path to Full Funding (Authorized Levels)**  
*(dollars in millions)*

	FY 2009*	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	5-Year Total FY 2010-14
Appropriations Total, NCLB Act	24,597	27,566	30,535	33,504	36,473	39,442	167,520
Additional Investment Required Compared to the Prior Year		2,969	2,969	2,969	2,969	2,969	14,845
Grants to Local Educational Agencies (ESEA I-A)	13,899	16,119	18,339	20,560	22,780	25,000	102,798
Additional Investment Required Compared to the Prior Year		2,220	2,220	2,220	2,220	2,220	11,101

**IDEA**  
**Path to Full Funding (40 Percent of the Excess Costs)**  
*(dollars in millions)*

	FY 2009*	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014**	5-Year Total FY 2010-14
Appropriations Total, Special Education Grants to States (IDEA Part B-611)	10,948	14,673	18,398	22,123	25,848	29,573	110,615
Additional Investment Required Compared to the Prior Year		3,725	3,725	3,725	3,725	3,725	18,625
Federal Funding as a Percentage of Average Per Pupil Expenditure	16.6%	21.7%	26.6%	31.3%	35.7%	40.0%	

\* Assumes enactment of a year-long continuing resolution at the FY 2008 level.

\*\* Source of full funding estimates: Congressional Research Service.

