

House Concurrent Resolution No. 47

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LAMPE (Sponsor), SCHOEMEHL, MEADOWS, KIRKTON, FRAME, KOMO, BROWN (50), CORCORAN, CALLOWAY, WALTON GRAY, PACE, STILL, OXFORD, HODGES, McCLANAHAN, CURLS, KRATKY, WEBBER AND STORCH (Co-sponsors).

1344L.01I

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

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

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

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

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

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

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

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

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

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

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

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42 **Whereas**, the NCLB Act remains underfunded by the federal government by over
43 \$40 billion from what was authorized when the NCLB Act was signed in 2002; and

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

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

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

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

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

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

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