

THE OBAMA ADMINISTRATION'S EDUCATION AGENDA

HEARING

BEFORE THE

COMMITTEE ON

EDUCATION AND LABOR

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, MAY 20, 2009

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THE OBAMA ADMINISTRATION'S EDUCATION AGENDA

**Wednesday, May 20, 2009
U.S. House of Representatives
Committee on Education and Labor
Washington, DC**

The committee met, pursuant to call, at 10:05 a.m., in room 2175, Rayburn House Office Building, Hon. George Miller [chairman of the committee] presiding.

Present: Representatives Miller, Kildee, Payne, Andrews, Scott, Woolsey, Hinojosa, McCarthy, Tierney, Wu, Holt, Davis, Grijalva, Bishop of New York, Loeb sack, Hirono, Altmire, Hare, Clarke, Courtney, Shea-Porter, Fudge, Polis, Tonko, Pierluisi, Sablan, Titus, McKeon, Petri, Castle, Ehlers, Biggert, Platts, Kline, McMorris Rodgers, Price, Guthrie, Cassidy, Hunter, Roe, and Thompson.

Staff present: Tylease Alli, Hearing Clerk; Jeff Appel, Senior Education Policy Advisor/Investigator; Catherine Brown, Education Policy Advisor; Alice Cain, Senior Education Policy Advisor (K-12); Fran-Victoria Cox, Staff Attorney; Adrienne Dunbar, Education Policy Advisor; Curtis Ellis, Legislative Fellow, Education; Denise Forte, Director of Education Policy; Ruth Friedman, Senior Education Policy Advisor (Early Childhood); David Hartzler, Systems Administrator; Fred Jones, Staff Assistant, Education; Sharon Lewis, Senior Disability Policy Advisor; Ricardo Martinez, Policy Advisor, Subcommittee on Higher Education, Lifelong Learning and Competitiveness; Stephanie Moore, General Counsel; Alex Nock, Deputy Staff Director; Joe Novotny, Chief Clerk; Rachel Racusen, Communications Director; Julie Radocchia, Senior Education Policy Advisor; Melissa Salmanowitz, Press Secretary; Margaret Young, Staff Assistant, Education; Mark Zuckerman, Staff Director; Stephanie Arras, Minority Legislative Assistant; James Bergeron, Minority Deputy Director of Education and Human Services Policy; Andrew Blasko, Minority Speech Writer and Communications Advisor; Robert Borden, Minority General Counsel; Cameron Coursen, Minority Assistant Communications Director; Kirsten Duncan, Minority Professional Staff Member; Amy Raaf Jones, Minority Professional Staff Member; Alexa Marrero, Minority Communications Director; Chad Miller, Minority Professional Staff; Susan Ross, Minority Director of Education and Human Services Policy; Mandy Schaumberg, Minority Education Counsel; Linda Stevens, Minority Chief Clerk/Assistant to the General Counsel; and Sally Stroup, Minority Staff Director.

Chairman MILLER [presiding]. We will come to order.

As I came around the hall, I thought maybe we were giving away Springsteen tickets or something. I wasn't sure what was going on, here. But we have our own star, with Secretary Duncan.

Secretary, thank you for joining us today, to discuss President Obama's agenda for transforming education in America.

We think that we are in a unique moment in the history of this country. With all of the challenges that America is facing, I think that the president made a wise choice when he said that he wanted, after the stimulus, to rebuild the American economy through a new energy policy, education policy and health-care policy.

This committee is involved in two out of three of those. I was encouraged this morning when I heard the chairman of the board of General Electric saying that if he was going to make one big bet for the future of innovation and technology in this country, and jobs here at home, it would be in energy.

And he also made it very clear that if you are going to have that innovation and those contributions to the technological changes, we needed a well-educated workforce. We can no longer suffer the achievement gaps that we have in this country. We have worked hard to try to close them, but much more needs to be done.

We can no longer afford to have only 70 percent of our high-school students graduate. These are nagging problems; and clearly, we have got to do all that we can. And Mr. McKeon has been a champion of this, to make college more affordable, and to deal with the cost of college.

It is very difficult to talk about it at a time of recession, when state resources are crashing all over the country, but we have got to have more support from the states for our public institutions.

I think both you and President Obama have clearly articulated that you see education as a basic civil right. And this is the civil-rights issue of our generation. And I think that members will have many questions of you.

But I think, clearly, your budget reflects these priorities by providing the resources to improve the early learning opportunities for our youngest students, so that they are school-ready, and to provide better coordination among those opportunities within the states—the articulation that you have given to the need for world-class standards, common standards, in this country, to take us to a new place, both in curriculum and assessments—is very, very important. As is the idea that every child should have access to effective, qualified teachers, and that those teachers should enjoy and deserve a modern, professional workplace, where their talents, their time, their skills will be—and their success will be rewarded.

And I think that these are very, very important ideas for this administration, and for our country, as we struggle to come out of this economic downturn, following the financial scandals, but we will. And we have got to emerge stronger in what will even be a more competitive and globalized economy and world.

I think, with the commitment that you made for the \$100 billion as part of the American Recovery and Reinvestment Act sent a huge signal to the educators of this country, to families in this country, that you were, again, placing a bet on the ability of our education system to achieve the kind of success that parents want,

that students want, that teachers want and, certainly, we want as a society, and as an economy.

I think you have captured the imagination and, maybe, the anticipation of many people in this country, and in the Congress, with your unprecedented Fund for the Race to the Top. I hope that you will set the bar very high for those who get to participate. I think you have something very valuable in terms of the incentives that you can provide, the leadership that you can provide, to truly take us to a different place, with respect to our expectations and the realization of what can be done in the American education system, led by states who are willing to take their education systems to the future, and stop standing pat on the status quo.

So it is a great honor for me, but it is also with a great deal of excitement to welcome you to our committee, and to the members who will be playing an important role on both sides of the aisle. This is one of the more bipartisan committees in the House. We start out each and every time trying to be there.

We don't always agree. We don't always end up that bipartisan—but we have tried, with Mr. McKeon, myself—when he was chair, when I am chair—to try to work it out and see how long we could go down that road. And we will continue to address the initiatives of this administration in that same fashion.

Thank you for being here.

And, now, I would like to recognize the senior Republican on our committee, Congressman McKeon, my colleague from California.

[The statement of Mr. Miller follows:]

**Prepared Statement of Hon. George Miller, Chairman, Committee on
Education and Labor**

Secretary Duncan, thank you for joining us here today to discuss President Obama's agenda for transforming education in America.

We are at a unique moment in history.

Americans are facing unprecedented challenges. Workers are losing jobs, schools are facing devastating budget cuts, and families are losing ground.

Fortunately, we have a President who believes that education is a critical component to a lasting economic recovery.

With our economy in flux, he knows we must empower our nation's schools, colleges and universities to prepare our next generation of leaders, entrepreneurs and innovators.

He is committed to building the world-class education system our economy needs and our children deserve.

He put us on the right track by putting Arne Duncan at the helm of our nation's schools.

Secretary Duncan is the right person, in the right position, at the right time. And he has his work cut out for him.

President Obama and Secretary Duncan have inherited an education system that is failing the needs of our students and our economy.

We face the continuing challenge of closing the achievement gap that begins with our earliest learners.

We used to be a world leader in graduation rates. Now we've fallen to 18th out of 24 industrialized nations.

Only 70 percent of our students graduate on time with a regular diploma from high school.

Not enough of our students are getting the support they need to go to college—many can't afford it once they get there.

The status quo isn't working and it isn't sustainable—not if we want to reclaim our leadership in this global economy.

Both President Obama and Secretary Duncan have called education the civil rights issue of our generation.

A good education is a basic civil right.

Education has always held the potential to be the great equalizer in this country.

But it will require bold action to get us there.

Part of what I think is unique about President Obama is he takes a comprehensive approach to education, from cradle to career.

The President believes we have to improve early learning opportunities so our youngest learners can build a good foundation for success.

He believes we can finally achieve the 21st century education system we've been striving for by significantly improving No Child Left Behind, while maintaining the law's core goals and focus on accountability.

He believes we must insist on world-class standards for all students, and ensure that every student has access to an effective, qualified teacher and that those teachers deserve a professional workplace where hard work and success are rewarded.

He wants to improve our accountability system so it is fairer, and better reflects students' learning.

And he wants to regain our competitive footing.

He has called on every American to commit to a year or more of higher education. To help get them there, he wants to expand access to college by increasing the Pell Grant scholarship and other forms of student aid by almost \$100 billion over the next ten years.

This will go a long way toward making sure that all qualified Americans who work hard and want to go to college can achieve this goal.

This investment not only shows the President is serious about making education a part of our recovery, it also shows that this Administration is serious about driving reforms.

They recognize that this investment gives us an opportunity to lay the groundwork for reforms that will be essential to any larger effort to improve our schools.

In return for these dollars, they asked schools and districts to move the ball down the court in areas that are vital to the success of our children: getting excellent teachers into the neediest classrooms; improving the quality of assessments; and developing data systems that give us timely information on what's happening in our schools.

The plan also gives Secretary Duncan the tools to fuel innovative reforms in schools through his unprecedented Race to the Top Fund. I hope he will set the bar very high in order for states to access these funds.

I am confident Secretary Duncan and President Obama know that to make the change our students need, you have to be willing to break some china.

Today we'll hear more from Secretary Duncan about the Obama administration's education roadmap.

The last time Secretary Duncan appeared before this committee, he was the CEO of Chicago's Public Schools.

His leadership there was impressive.

What set him apart was his ability to work together, with any stakeholder, from any team, to do what's best for students.

That's the most important barometer for success in the tasks before him.

This will require real leadership and political will on all our parts.

Secretary Duncan, I look forward to hearing your testimony, and learning more about how our committee can support your efforts to make college more affordable, expand access to quality early education, improve No Child Left Behind and build a stronger economy that gives all Americans the opportunity to get an excellent—and equal—education.

Mr. MCKEON. Thank you, Chairman Miller, and good morning.

Good morning to you, Mr. Secretary. Thank you for appearing before this committee. I hope your testimony will be the start of a good, meaningful conversation today, about the future of education in America. I also hope this conversation can lead to common ground, one where both Democrats and Republicans can work together to improve our nation's schools.

But a good conversation usually involves two points of view. That is why I would like to take a moment to briefly outline the Republican education agenda. By putting everything on the table this way, perhaps we can reach that common ground together, and sooner.

So, here is where Republicans stand. Our basic philosophy is this: Education decisions should be left to those who make them

best—parents, local school districts and the states. The federal government should play a limited, but helpful role in making those decisions. To that end, we stand for constant improvement and innovation in education.

I know we have had several conversations already, and I am—I know that is right where you are.

We also believe in the right of parents to choose the school or other educational options that best fits the needs of their children. And we demand results from our reform so the taxpayer dollars are not wasted.

Mr. Secretary, judging by what I have heard from you and President Obama in recent months, there are some areas where we can work together. Charter schools are a good example. Both you and the president have expressed support for them as a tool to improve student achievement. We Republicans also support good charter schools.

We hope to hear ideas from you today about how we can ensure that states are not limiting this option by placing arbitrary caps on how many charter schools can operate.

I also believe we can work together on expanding pay-for-performance systems. We believe that teachers and principals should be rewarded for their success in improving academic achievement. But there are other areas where we are not in agreement at this time; areas where this administration has acted to protect the status quo at the expense of low-income students.

The D.C. Opportunity Scholarship Program is a good example. This groundbreaking program has helped thousands of low-income students here in Washington attend the school of their choice, including Sidwell Friends, where the president's children attend.

However, instead of helping to save the program, the president recently signed a law that effectively phased it out.

Your agency, Mr. Secretary, evoked—revoked scholarships that had been awarded to new students for the upcoming school year. I know you want to improve public schools for all children; so do I. But until that happens, we shouldn't take away this critical lifeline.

More than 7,000 D.C. residents have signed a petition imploring us to keep the program alive. Student loans are another area where we respectfully disagree with President Obama's agenda.

Members on both sides of the aisle are troubled by the president's proposal to end the Federal Family Education, or FFEL, Program. So there are 1,646 financial-aid officials, and students, who have signed another petition, urging Congress to keep FFEL, and oppose the administration's proposal.

This program has been around for more than four decades. It has made the dream of a college education, and the quality of life that often comes with that degree, possible for millions. One of the reasons for this success is because the program can be tailored best to fit students' needs, thanks to the private lenders, not-for-profits and state agencies that have all partnered with the federal government, colleges and universities, to serve students.

If we follow the president's plan and use only a direct-loan program, this would end the significant public-private partnership, and replace it with the federal government and its contractors.

There would be a one-size-fits-all Washington program for the more than 6,500 colleges and universities in America, whose diversity is the cornerstone of higher education in this country.

Ending this public-private partnership also will cost more than 30,000 jobs right off the bat, and could affect thousands more. That said, we are not against reforming our nation's complex financial-aid system. Some reforms can be made, but we think it is best to have a thoughtful and deliberate conversation with all the parties.

Just this week, I heard from several small colleges that are very opposed to being forced to convert to direct loans. These colleges are concerned that their voices are not being heard in the rush to promote the Direct Loan Program.

They have real concerns. And we should listen to the impact such a conversion will have on their students and institutions. That way, we can make some good reforms, while keeping what works in the program, for all our colleges and the students they serve.

With that, I look forward to your remarks, and continuing this conversation.

Here are the petitions I mentioned. We will be glad to get them over to your office.

Thank you, Mr. Secretary.

And I yield back.

Prepared Statement of Hon. Howard P. "Buck" McKeon, Senior Republican Member, Committee on Education and Labor

Thank you, Chairman Miller and good morning.

And good morning to you, Mr. Secretary. Thank you for appearing before this committee. I hope your testimony will be the start of a good, meaningful conversation today about the future of education in America.

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They have real concerns and we should listen to the impact such a conversion will have on their students and institutions.

That way, we can make some good reforms while keeping what works in the program for all our colleges and the students they serve.

With that, I look forward to your remarks and continuing this conversation.

Thank you, Chairman Miller. I yield back.

Chairman MILLER. Thank you.

Now, I would like to officially introduce Arne Duncan, who was nominated to be Secretary of Education by President Obama, and was confirmed by the Senate on January 20, 2009.

Prior to his appointment as secretary of education, Mr. Duncan served as the chief executive officer of the Chicago Public Schools, a position which he was appointed to by Mayor Richard Daley from June 2001 to December 2008.

In his position, he became the longest-serving big-city education superintendent in the country. In his role as CEO, Mr. Duncan was able to raise the educational standards and performance to improve teacher and principal quality, and increase learning options.

He helped unite education reformers and bring together education stakeholders from across the spectrum to raise the bar in Chicago's public schools. He is a dynamic leader, who has an appreciation for real reform, ending the status quo. He is a true disrupter.

Mr. Secretary, welcome to the committee.

Under the rules of the committee, we generally allow witnesses 5 minutes. You are the only witness. You are the Secretary of Edu-

cation. And we want you to proceed in the manner in which you are most comfortable to get across to the committee, the points you want to make.

And, then, we will have questions from the members of the committee, as long as the time lasts.

**STATEMENT OF HON. ARNE DUNCAN, SECRETARY,
U.S. DEPARTMENT OF EDUCATION**

Secretary DUNCAN. Thank you so much, Chairman Miller, for your extraordinary leadership, to Representative McKeon, and than you so much for your hard work. I feel very, very lucky to have leadership on both sides of the aisle who is passionate, who is absolutely committed to helping us improve. And I look forward to working with all of you to help take education in our country to an entirely different level.

And, Chairman Miller, just as you said—

Chairman MILLER. I think if we can get you to pull the microphone closer, I see some heads nodding in the back of the room a little bit.

Secretary DUNCAN. I will pull it a little closer in.

Chairman Miller, just on a personal level, this transition to Washington—you have been just an absolute champion—someone I have learned a tremendous amount from. And I want to thank you for your leadership and your thoughtfulness, and your heart and passion for kids around the country.

I want to begin by just expressing my great concern for the very disturbing and troubling information that came out of your hearing yesterday, on restraints and seclusion, and where you see children being hurt—children's safety has to be our number-one concern, before we begin to think about educating them and doing other things.

And so this is one where I am going to ask state school chiefs from around the country to report to me what their plans are to make sure that student safety is taken care of. And as we go into the summer and prepare for next school year, I want to make sure as we go into the next school year, that every state has a real, clear plan as to how to do this in a way that makes sense and doesn't jeopardize—doesn't endanger children.

As you know, I come from Chicago. And in Illinois—in, I think, your testimony yesterday, Illinois has what I think is a very effective plan that prohibits the use of seclusion and restraint for punishment. It places time limits on this and requires monitoring and communication. It requires specific documentation of each incident—the significant training. And, because of all that, you have seen a dramatic reduction in the number of these incidents.

There is also, on our Web site, information on positive behavioral interventions and support to www.pbis.org, which I think is an invaluable resource. And so I am going to be working with the state school chiefs, as we go into next school year, to make sure that, across the country, we are thoughtful, and we are not doing anything that endangers children or hurts or put them in any kind of jeopardy. So we are going to work very hard. And I appreciate—

Chairman MILLER. Well, thank you for that.

I know Mr. McKeon and I discussed this yesterday. And we would love to see the leadership come from the states. And if you could help coordinate that, that would really be helpful. Thank you.

Secretary DUNCAN. So we will do whatever we can, there. That is a very, very important issue.

And, again, I was deeply disturbed by some of the testimony coming out of yesterday's hearing.

It is my pleasure to share with you President Obama's plan for American education. It is a comprehensive plan that meets the educational needs of our youngest citizens, from cradle to career.

If we are going to be successful in rebuilding our economy, our early childhood programs need to prepare our youngest children for kindergarten, so they are ready to start reading and learning.

Our K-to-12 schools need to make sure our students have all of the academic knowledge and skills they need to enter college or the workforce. And our higher-education system needs to offer whatever advanced learning students need to be successful in a career, whether they will become a plumber, a teacher or a business executive.

As federal policymakers, we need to improve preparation for college, and expand college access and completion by increasing financial aid so that students of all income levels can pay for college without taking on a mountain of debt.

I am proud to work for a president who has created a comprehensive agenda that addresses the needs at every level of our educational system, from expanding access to high-quality early childhood programs, to improving the rigor of the academic programs in our K-to-12 schools, to making college more affordable and accessible.

We have tried to get off to a fast start, here.

Through the American Recovery and Reinvestment Act, we have laid the groundwork for reform on the K-to-12 level, and made an early down payment on expanding access to early childhood education, and increasing student aid for college students.

The law made available almost \$100 billion for education. And I want to thank all of you for your generosity and support. That money will help prevent hundreds of thousands of layoffs, fill holes in state and local budgets, and provide financial aid to college students.

The money is needed to help our economy in the short term, but very important reform efforts, driven by these school—these funds—will be the key to our long-term economic success.

Under the state fiscal Stabilization Fund, states will receive \$48.6 billion to supplement their own budgets during these difficult economic times. The Recovery Act says that states must spend most of that funding on education; \$39.8 billion of that should go to schools.

And I want to assure everyone here that I will be scrutinizing how states spend the stabilization money to make sure they are focused on education.

I have heard that some states are thinking about using the stabilization money to maintain their rainy-day funds, and that others may rely on the stabilization grants to pay for tax cuts, instead of investing in reforms.

Let me be clear: I will do everything in my power to reject any schemes that would subvert the intended purpose of the Recovery Act, which is to help schools through the economic downturn, and push reform, thereby ensuring our economic prosperity in the future.

When reviewing applications for the Race to the Top Fund, we plan to consider whether a state use their stabilization money to aggressively push reforms. In addition to helping states solve their budget problems, the Stabilization Fund lays out a path to reform.

To receive their money, states must make four commitments that are absolutely essential to reforming our K-to-12 schools. First, they will improve the effectiveness of teachers, and will work to make sure that the best teachers are in the schools that need them the most.

Secondly, they promise to improve the quality of their academic standards so that they lead students down a path that prepares them for college and the workforce, and global competitiveness. These standards need to be aligned with strong assessments. In addition, states must work to ensure that these assessments accurately measure the achievement of English-language learners and students with disabilities.

Third, states must commit to fixing their lowest-performing schools.

And, finally, states must build data systems that can track student performance from one year to the next, from one school to another, so that those students and their parents will know when they are making progress, and when they need extra attention.

This information also must be put in the hands of educators so they can use it on a real-time basis, to improve instruction. Right now, according to the Data Quality Campaign, DQC, Alabama, Arkansas, Delaware, Florida, Louisiana and Utah are the only states that reported to have comprehensive data systems meeting the basic elements of a good system.

With \$250 million in the stimulus, and another \$65 million in our annual budget for fiscal year 2009, and again in fiscal year 2010, we expect these numbers to continue to grow, which is absolutely vital to reform. In addition, the stabilization money, the Recovery Act, as you talked about, gave us \$5 billion to spur innovation in states and in districts.

Through the Race to the Top Fund, we will be awarding \$4.35 billion in competitive grants to states built around the four pillars of reform, outlined in the Stabilization Fund. Through the What Works and Innovations Fund, we will also be awarding \$650 million in competitive grants to districts and non-profit organizations to scale-up successful programs and evaluate promising practices.

And I promise you, Mr. Chairman, we will have a very high bar. We want to invest in what works—take that to scale. The goal here is not to perpetuate the status quo. It is really to take education to an entirely different level; to both raise the bar and to close the achievement gap.

Our fiscal year 2010 budget will expand our commitment to reforms in several important ways, addressing the needs from early childhood through K-to-12 education.

Under the Title I Program, we will provide \$1.5 billion for the School Improvement Program. This money is vital for helping states and districts address problems in schools that are in the most trouble.

We already have \$3 billion for this program from the Recovery Act, and another \$545 million from fiscal year 2009. By adding \$1.5 billion in fiscal year 2010, we have more than \$5 billion to address the problems of our lowest-performing schools.

I would like to set a goal to turnaround, over time, \$1,000 low-performing schools each year. I do not want to invest in the status quo. For children, families and communities that have been poorly served for too long, we must act with a sense of urgency. We cannot wait because they cannot wait.

When we think about only 2,000 schools in this country producing 50 percent of our nation's dropouts and 75 percent of our minority-children dropouts, we have a real challenge there. And we have a real opportunity, with resources on the table, and with courage and political will, to challenge that to work with those dropout factories—to work with their feeder middle schools and elementary schools—to fundamentally stop those dropout factories, those dropout pipelines, and do something dramatically better for those children in communities, that I would argue, in many places, have been underserved not for a couple years, but for decades.

And everyone in this room knows that when children drop out today, they are basically condemned to poverty and to social failure. There are no good jobs out there for a high-school dropout. And we have to act now to make sure we do something better for those children in those communities.

I want states and districts to take bold action that will lead directly to the improvement in student learning. I want local leaders to find those change agents who can fix these schools. I want them to provide incentives for the best teachers and the best principals to take on the challenge of teaching in these schools. And, where appropriate, I want them to create partnerships with charter-school operators with a track record for success.

I want superintendents to be aggressive in taking the difficult step of shutting down a failing school, and replacing it with one they know will work.

We have proposed a \$52 million increase in funding to develop and expand successful charter schools. Many of you have heard me say that I believe education is the civil-rights issue of our time. I absolutely believe every child is entitled to a high-quality education. And I will work closely with the Office of Civil Rights to make sure that we properly review compliance in all programs and policymaking.

The fiscal year 2010 budget starts new programs and expands existing ones to address our priorities in early childhood education and literacy.

We will create the \$300 million Early Learning Challenge Fund that will award grants to help states set up the support and services necessary to build quality early childhood education.

We will provide \$500 million in grants through Title I to help districts use their Title I money to establish and expand the pre-school programs. We will expand the Striving Readers Program

from a small \$35 million program focused on middle school and high schools, to a \$370 million program that addresses the reading needs of children in elementary schools as well.

The program will take a comprehensive approach to reading instruction, ensuring that students develop the basic skills, as well as the reading comprehensive that is so vital to their success in high school and beyond.

We will also continue our focus on promoting the teaching profession. Great teachers and great teaching matters tremendously.

With \$517 million in our fiscal year 2010 budget, we will continue and expand our support for local efforts, under the Teacher Incentive Fund to develop comprehensive strategies for recruiting, preparing, rewarding and retaining great teachers.

We also request \$10 million to start to plan new Promise Neighborhoods, modeled on the highly successful Harlem Children's Zone.

We are committed to acting on evidence. And we request \$72 million more for the Institute for Education Sciences, so we can identify what works based on rigorous research, invest more in what works, and stop spending money on ineffective programs.

Our agenda from early childhood through 12th grade is focused on helping states do the right thing. And that is appropriate because states are responsible for establishing systems of education through the 12th grade. It is our role to make it a national priority to reform schools and to help states and districts do just that.

For more than 40 years, the federal government has played a leading role in helping students pay for college. Continuing this vital role, the total amount of aid for students has increased by \$32 billion since President Obama has taken office.

By subsidizing loans, and by providing work study programs and, most importantly, giving Pell Grants to low-income students, the federal government is fulfilling the dreams of students who want to be able to go to college, but might not have the resources to pay for it.

President Obama has set an ambitious goal that, by 2020, the United States, once again, will have the highest proportion of college graduates in the world. He fully understands that we have to educate our way to a better economy.

That is an achievable goal. But to hit it, we have to make college affordable.

The Recovery Act made an important down payment on our plans to expand student aid. The ARRA Act provided \$17.1 billion so we could raise the maximum Pell award from \$4,731 to \$5,350. We also added \$200 million to the Work Study Program, providing colleges and universities some additional money to provide jobs to students to help with their college and their living expenses.

In our fiscal year 2010 budget, we want to make three important and permanent changes to ensure students have access to student aid and loans. The first thing it would do is to move the Pell Grant Program from a discretionary program into a mandatory appropriated entitlement.

This approach will provide more certainty to students and families applying for student aid, about the aid that is available to

them. In addition, the Pell amounts will grow annually, at rate higher than inflation, so it keeps up with rising college costs.

The second thing this budget does is address the problems with the FFEL Program. I think we all agree that the FFEL structure is broken and on life-support now, and that federal student-loan programs are in need of a dependable, cost-effective way of providing college-bound students and their families with the resources they need to meet the growing costs of post-secondary education.

The Direct Lending Program is the best way to do that. Through it, we will be able to leverage the government's lower costs to fund, to finance and originate student loans, and provide private-sector expertise to service those loans.

The president's proposal provides a comprehensive and reliable solution for today's students, while saving taxpayers over \$4 billion a year. It will be more stable and efficient, reducing risks for students and lowering costs for taxpayers.

The third thing we are doing is boosting the Perkins Loan Program from \$1 billion to \$6 billion per year. The number of students served will rise from 500,000 to 2.7 million. And the number of schools that can participate in the program will increase from 1,800 to 4,400, which also means that we can serve more students.

Also, to keep college affordable for our Perkins proposal—allocates funds to schools based on their role in keeping tuitions down, and providing grant aid to needy students. This further builds upon Congress' recent mandate to create watch lists of colleges with high or excessive increases in tuition.

In closing, I would like to remind you of one thing the president said when he addressed Congress in February. He said, "In a global economy, where the most valuable skill you can sell is your knowledge, a good education is no longer just a pathway to opportunity; it is the prerequisite."

Thank you so much for your support so far in assuring that our children and our young adults have the education they need to ensure they enter the workforce with the knowledge and skills they need to be successful, and to help rebuild our economy.

Thank you so much.

[The statement of Secretary Duncan follows:]

**Prepared Statement of Hon. Arne Duncan, Secretary,
U.S. Department of Education**

Thank you Chairman Miller, Representative McKeon, and all the members of the committee for the invitation to be here today. It is my pleasure to share with you President Obama's plan for American education. It is a comprehensive plan that meets the educational needs of our youngest citizens from cradle to career. If we are going to be successful in rebuilding our economy, our early childhood programs need to prepare our youngest children for kindergarten so they're ready to start reading and learning, our K-12 schools need to make sure our students have all of the academic knowledge and skills that they need to enter college or the workforce, and our higher education system needs to offer whatever advanced learning students need to be successful in a career, whether they will become a plumber, a teacher, or a business executive. As federal policymakers, we need to improve preparation for college and expand college access and completion by increasing financial aid so that students of all income levels can pay for college without taking on a mountain of debt.

I'm proud to work for a President who has created a comprehensive agenda that addresses the needs at every level of our educational system, from expanding access to high-quality early childhood programs to improving the rigor of the academic programs in our K-12 schools to making college more affordable and accessible.

We have gotten off to a fast start. Through the American Recovery and Reinvestment Act, we have laid the groundwork for reform on the K-12 level and made an early down payment on expanding access to early childhood education and increasing student aid for college students. The law made available almost \$100 billion for education. That money will help prevent layoffs, fill holes in state and local budgets, and provide financial aid to college students. The money is needed to help our economy in the short term, but reforms efforts driven by these funds will be the key to our long-term economic success.

Under the State Fiscal Stabilization Fund, states will receive \$48.6 billion to supplement their own budgets during these difficult economic times. The Recovery Act says that states must spend most of that funding on education. \$39.8 billion of that should go to schools.

I want to assure you that I will be scrutinizing how states spend their stabilization money to make sure they are focused on education. I have heard that some states plan to use their stabilization money so as to maintain their rainy day fund and that others may rely on their stabilization grants to pay for tax cuts instead of investing in reforms. I will do everything in my power to reject any schemes that would subvert the intended purpose of the Recovery Act, which is to help schools through the economic downturn and push reform, thereby ensuring our economic prosperity in the future. When reviewing applications for the Race to the Top Fund, we plan to consider whether a state used their stabilization money to aggressively push reforms.

In addition to helping states solve their budget problems, the stabilization fund lays out a path to reform. To receive their money, states must make four commitments that are essential to reforming our K-12 schools. They will improve the effectiveness of teachers and make sure the best teachers are in the schools that need them the most. They will promise to improve the quality of their academic standards so that they lead students down a path that prepares them for college and the workforce and global competitiveness. These standards need to be aligned with strong assessments. In addition, states must work to ensure that these assessments accurately measure the achievement of English language learners and students with disabilities.

Under the third assurance, states must commit to fixing their lowest-performing schools. Finally, states must build data systems that can track student performance from one year to the next, from one school to another, so that those students and their parents know when they are making progress and when they need extra attention. This information must also be put in the hands of educators so they can use it to improve instruction. Right now, according to the Data Quality Campaign (DQC), Alabama, Arkansas, Delaware, Florida, Louisiana, and Utah are the only states that are reporting to have comprehensive data systems meeting the basic elements of a good system. With \$250 million in the stimulus and another \$65 million in our annual budget for fiscal year 2009 and again in fiscal year 2010, we expect these numbers to continue to grow, which is vital for reform.

In addition to the stabilization money, the Recovery Act gave us \$5 billion to spur innovation in states and districts. Through the Race to the Top Fund, we will be awarding \$4.35 billion in competitive grants to states built around the four pillars of reform outlined in the stabilization fund. Through the What Works and Innovation Fund, we also will be awarding \$650 million in competitive grants to districts and non-profit organizations to scale up successful programs and evaluate promising practices.

Our fiscal year 2010 budget will expand our commitment to reforms in several important ways, addressing the needs from early childhood through K-12 education.

Under the Title I program, we will provide \$1.5 billion for the School Improvement program. This money is vital for helping states and districts address problems in schools in the most trouble. We already have \$3 billion for this program from the Recovery Act and another \$545 million from fiscal year 2009. By adding \$1.5 billion in fiscal year 2010, we'll have more than \$5 billion to address the problems of our lowest-performing schools. I'd like to set a goal to turn around 1,000 low-performing schools a year for each of the next five years. I don't want to invest in the status quo. I want states and districts to take bold actions that will lead directly to the improvement in student learning. I want local leaders to find change agents who can fix these schools. I want them to provide incentives for their best teachers to take on the challenge of teaching in these schools. And where appropriate, I want them to create partnerships with charter school operators with a track record of success. I want superintendents to be aggressive in taking the difficult step of shutting down a failing school and replacing it with one they know will work. We've proposed a \$52 million increase in funding to develop and expand successful charter schools.

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We also continue our focus on promoting the teaching profession. With \$517 million in our fiscal year 2010 budget, we will continue and expand our support for local efforts under the Teacher Incentive Fund to develop comprehensive strategies for recruiting, preparing, rewarding, and retaining effective teachers. We also request \$10 million to plan new Promise Neighborhoods, modeled on the successful Harlem Children's Zone. We are committed to acting on the evidence. And we request \$72 million more for the Institute for Education Sciences, so we can identify what works based on rigorous research.

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The Recovery Act made an important down-payment on our plans to expand student aid. The American Recovery and Reinvestment Act provided \$17.1 billion so we could raise the maximum Pell award from \$4,731 to \$5,350. It also added \$200 million to the Work-Study program, providing colleges and universities with additional money to provide jobs to students to help with their college and living expenses.

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The second thing this budget does is address the problems with the Federal Family Education Loan (FFEL) program. I think we can all agree that the FFEL structure is broken and the federal student loan programs are in need of a dependable, cost-effective way of providing college-bound students and their families with the resources they need to meet the growing cost of postsecondary education. The direct lending program is the best way to do that. Through it, we are able to leverage the government's lower cost of funds to finance and originate student loans and private-sector expertise to service the loans. The President's proposal provides a comprehensive and reliable solution for today's students while saving taxpayers over \$4 billion a year. It will be more stable and efficient—reducing risk for students and lowering costs for taxpayers.

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This further builds upon Congress' recent mandate to create watch lists of colleges with high or excessive increases in tuition.

In closing, I'd like to remind you of one thing the President said when he addressed Congress in February. "In a global economy where the most valuable skill you can sell is your knowledge, a good education is no longer just a pathway to opportunity—it is a prerequisite."

Thank you for your support so far in ensuring that our children and young adults have the education they need to ensure they enter the workforce with the knowledge and skills they need to be successful and to help rebuild our economy.

Chairman MILLER. Thank you very much, Mr. Secretary, for that review of your priorities, and of the budget. Thank you for, again, reiterating your goals and standards for the Fund for the Race to the Top. The action of the Congress to give a single secretary \$5 billion in discretionary money is an amazing act for the Congress. But I think it is also a vote of confidence in you.

I think that many of the members of this committee supported that effort, because they were here when you and Michelle Rhee and Joel Klein and Beverly Hall, from Atlanta, came and testified about the results that many of you had achieved—the possibilities that you saw for the improved outcomes, the achievement of our students in the various efforts that all of you had made, within large, complicated districts, but to provide various alternatives for students and for teachers.

I would, again, just say that when you put \$5 billion on the table in Washington, D.C., there is no shortage of people who, all of a sudden, have a renewed interest in that agenda, whatever it is.

And I would just hope that you would be selective. I think that we have got to have a clear understanding. And it is very clear that there are governors and large districts that do want to go to the future. They do want to change the manner in which education has been delivered. They do want a different set of outcomes. And many of them have demonstrated that, in fact, they can do that.

So I would just say that I think it would be better to have fewer entities doing more because, in fact, they can be the pathway and the beacon to other districts who still think this is too difficult to do, or too politically complicated to do; but the fact is, the students of this country are entitled to that.

So I am not sure that everybody should be able to participate just because there is so much money. I think they should be able to participate because they have demonstrated that they are prepared to make the difficult, tough choices that are starting to show results all over this country in charter schools and regular public schools, in large districts and small districts, and rural areas, with the exact population that we are so terribly concerned about, in terms of the achievement gap, and whether or not they will have a full opportunity to participate in American society.

Those results that you achieved in a number of settings in Chicago cannot be ignored any longer. They are possible. They are here for those who want to seek them out. So I think having the willingness and the evidence of the capacity for those who participate in the Race to the Top Fund—that they have got to be able to demonstrate that, before they are allowed. That is my thinking on that.

I also want to commend you for the urgency that you are putting behind the effort to change our high schools, specifically those described as dropout factories. We now know which schools provide the dramatic number of dropouts. We now know many of the middle schools that contribute to that population, and the ability and the research that is available to tell us that we can change many of those outcomes by being engaged with those students earlier on.

We cannot make the decisions about fighting dropouts in the 10th grade. There is just no evidence that that works. The effort around the high-school initiatives that have been proposed has been bipartisan in this committee. I think we are ready to move to make the changes that are necessary so that we can effectively change the outcomes for these students, and the performance of these schools. So we look forward to working with you on that.

I am also very encouraged by the budget submission on behalf of the Teacher Incentive Fund. This was started by the past administration. I am not quite sure how they got it started, but they got it started. It is not without controversy, but I think it is yielding results for willing school districts, with their teachers, with their unions, with other organizations—community organizations, nonprofit—who really want to change the workplace, to change the opportunities for teachers, and to change the outcomes.

It was threatened to be zeroed-out quite often. Fortunately, it wasn't. And I think that the increase that you are providing there will serve teachers and school districts and students in a very positive way.

Others will have more to say on this. But, again, I am also encouraged by the increase in support for charter schools. I think that is very important. Again, much of the evidence—many of the outcomes that we see that are improving, are coming from that community. And they should be encouraged. And we should do what we can—the best we can—to not have states throw up artificial barriers to their creation or to their expansion, to the success, as long as they are able to provide the results that we expect from them.

So thank you very, very much for your testimony. I am not going to ask you questions. I am going to try to move this along.

And I am going to recognize Mr. McKeon for questions.

But thank you for the submissions. And thank you for the priorities you chose in the president's budget.

Mr. MCKEON. Thank you, Mr. Chairman.

I have several questions.

Mr. Secretary, you said you would like to set a goal to turn around 1,000 low-performing schools a year, for each of the next 5 years. And I commend you for that. I understand you had some success with this in Chicago. How did you work with the teachers' unions in this effort? How can a district that wants to close low-performing schools and reopen them with a new instructional team do that in light of collective bargaining agreements, and other regulations?

Secretary DUNCAN. Let me start with sort of a broader statement of how I view schools.

And I see schools, generally, in three different buckets. You have a set of very high-performing schools, district schools, neighborhood

schools, magnet schools, charter schools, where we have great results. We have long waiting lists. And I think all of us need to be in the business of replicating those schools, creating more of those kinds of options.

We have a set of schools in the middle that are maybe not performing where you would like them to be, that are improving each year. And we need to continue to invest in those, and continue to help them grow and provide more resources and more professional development, and help them on their path towards excellence.

However, as a country—and I think we have about 95,000 schools in the country. Let us round it off to 100,000. If we just took the bottom 1 percent—and I don't think we could do this in the first year. We would have to work up to this. But if we took the bottom 1 percent of those schools each year, and fundamentally change them, fundamentally challenge the status quo—and, again, in the vast majority of these cases, what most troubles me is these schools have not been at the bottom for a year or 2 years. It has often been for 10, 20, 30 years—literally, decades.

And when we, as educators, aren't helping students to be successful, we become part of the problem. So what you do—and this is tough work. This is hard. This is controversial. This is the ultimate in challenging the status quo. But when you have schools where the vast majority of students are dropping out—and even districts—and just to take a moment—the previous week, I was in Detroit.

Detroit, for the city, has approximately a 75 percent dropout rate. It is an absolutely staggering number. You know, two out of three, three out of four—however you want to define it—of every, you know, third grader, fifth grader, ninth grader—will never graduate from those schools.

Mr. MCKEON. Mr. Secretary, my time is limited.

Secretary DUNCAN. Oh, I am sorry.

Mr. MCKEON. So how did you work with unions, and how do you deal with the collective bargaining agreements—

Secretary DUNCAN. Yes.

Mr. MCKEON [continuing]. And regulations, to accomplish this?

Secretary DUNCAN. It was tough work, with the unions. The unions weren't always supportive of this. But this is not just about coming back with charter schools. And we came back with better staff.

Actually, in every single case, that was union staff. Those are union teachers. And so it is not about what the talent pool is. It is about saying, "Let us stop investing—more money is not always the answer." Investing in something that is broken—sometimes you have to start fresh, and you have to come in there—and there are great, great teachers and principals who want a chance to make a difference, who want to go to the toughest of communities. They just have to feel—they have to have a chance to be successful.

So what do you need? You need a great principal. You need a team of teachers—if you send two teachers into a dysfunctional situation, they will get overwhelmed. If you send a whole team of folks in there together, and a chance to build a culture from scratch—you have extraordinarily committed, dynamic teachers and principals who want to take on this work. So the talent pool,

I am absolutely convinced, is there. And we have to create those kinds of opportunities.

Mr. MCKEON. I hope we are able to help you to accomplish that.

Mr. Secretary, your budget creates a new program, targeted toward helping students in elementary schools learn to read. I heard that your staff said that the rationale for creating a new reading program was that there was no longer a consensus on how to teach children to read.

That is a surprise to me. I would think it is a surprise to the folks at the National Institute for Child Health and Human Development, and on the National Reading Panel.

Do you believe that teaching students the essential tenets of reading as laid out in the Elementary and Secondary Education Act, and by the National Reading Panel, are no longer valid?

Secretary DUNCAN. No.

I think we need a balanced, comprehensive approach. And this funding and this commitment is to absolutely make sure that every child gets off to a great start.

Mr. MCKEON. We talked a little bit about this yesterday: After teaching reading for as many years as we have been teaching, we should have a knowledge of how to do it.

President Obama has called charter schools one of the places where innovation occurs. And he has called on the states to lift caps on the number of charter schools. Since it is clear that the presidency's charter school is playing an important role in turning around poor-performing schools, how do you plan on convincing states to lift caps on these schools?

Secretary DUNCAN. Well, there are a number of different opportunities we have, both in terms of carrots and sticks. But one of the things that Chairman Miller talked about is we, in this—we haven't issued it yet. The RFP doesn't exist, but we created a request for proposals around the rates of top funds—one of the questions we are going to be asking—we are going to ask a series of questions around charter schools.

And one of the questions we are going to ask is, "Does your state have charter caps?"

Mr. MCKEON. And my final question: Your budget proposes major changes to the Perkins Loan Program, transforming it into a tool to encourage colleges to control costs. It reminds me of a proposal I offered several years ago, to use campus-based aid programs, including Perkins, to achieve that same goal of holding down costs.

Unfortunately, my plan was rejected by the higher-education community. I hope you have better luck than I did. And, to that end, I have two specific questions.

First, will all sectors, including proprietary, be eligible for this program? And, second, can you share some specifics about how this will work, how you think it will bring costs down, and what other plans you may have to get colleges to control their costs?

Secretary DUNCAN. Yes.

Proprietary, I think, will be eligible. Let me check that. We want to make sure that we are doing everything we can to push folks in the right direction. And I think we have an opportunity to do that.

I will add what—I think things have really changed now. Students and parents have more options than they have ever had. And where you see costs escalating, you know, exponentially way higher than the rate of inflation, parents and students are going to vote with their feet. And I think there is going to be a real market correction here.

And you are seeing other universities go the opposite way—go to 3-year programs, rather than 4—go to no-frills, low-cost options. And so we are going to put whatever pressure we can on it.

But our parents and our student are very smart. They have thousands of options. And where costs are just escalating, you are going to see, particularly in this economic climate—I am convinced you are going to see those universities lose market share.

And I am going to—we are going to do everything we can to make sure that those kinds of things happen.

Mr. MCKEON. Thank you very much.

Secretary DUNCAN. Thank you.

Mr. MILLER [presiding.] Mr. Kildee?

Mr. KILDEE. Thank you, Mr. Chairman, Secretary Duncan. It is good to have you before our committee. They mentioned to you yesterday, I have served, now—it was nine secretaries of Education. I was a co-sponsor of the bill that established the department, and I have enormous confidence in you.

And you have an enormous responsibility. The future of education in this country really—weigh heavily on your shoulders. But I have that enormous confidence in your integrity and your ability, and look forward to working with you.

Secretary DUNCAN. Thank you.

Mr. KILDEE. Secretary Duncan, currently the Elementary and Secondary Education Act, which is the official name—we change the name each time we reauthorize. But, currently, ESEA provides for the same interventions for schools that do not make AYP—adequate yearly progress—regardless of why or how much a school did not meet the AYP.

Do you believe that it makes sense to provide for some differentiated interventions to encourage and help schools to target their responses on the reasons they did not meet AYP, and also to recognize that schools that miss AYP by an inch do not need as much extensive intervention as those who miss by a mile?

Secretary DUNCAN. It is a really thoughtful question. And one of the challenges with the current law is exactly what you say. It is what I call—what I label it as is a blunt instrument—that it puts every school in the same—too many schools in the same category. And the complexity in those stories amongst those schools is actually very different.

Part of what I used to be frustrated with is you had schools that were actually showing pretty significant progress each year, that were really improving, that were labeled as failures. And that is demoralizing. That is very tough on staff and, you know, faculty and teachers that are working really hard every day. It is confusing to parents.

And where schools are improving each year, rather than slapping them and labeling them as failures, we need to actually encourage that and reward that, and help them continue to grow.

So I think you have to be much more differentiated in how you approach school. And when you think about those schools that are labeled as failures—some are actually getting better. Some are, you know, pretty mediocre. And then I have talked about those schools that are truly at the bottom where, frankly, I don't think we went far enough historically—where I think we need to be much tougher in our intervention—not just invest more resources in a dysfunctional culture, but fundamentally challenge that status quo.

So the idea of greater differentiation and more thoughtfulness, and really understanding which schools are improving, which schools are flat-lining, and which schools are really a huge problem—and being very, very specific in what our remedy—what our answer is in each—those situations—I think is absolutely the right thing to do for children.

Mr. KILDEE. Thank you very much.

Mr. Secretary, President Obama has talked about the importance of every American having at least 1 year of post-secondary education. I have introduced legislation, H.R. 1578, the Fast Track to College Act, that would support early college, high school, and other dual-enrollment programs, to expose low-income students to college.

We have that in Flint, Michigan. You can go to Central High School, where I taught, and also enroll at the University of Michigan. You can get up to 60 college credits while you are in high school.

When that was inaugurated with the community college several years ago, we thought that would take care of those who were, you know, the very talented, who needed that higher challenge. But we found out, very often, those who were not doing well at all, were just kind of dropped-out mentally, really sparkled when they got into a program like that.

Would you support a program of early college—

Secretary DUNCAN. Yes. I am a huge fan of dual enrollment. And we talked about investing in what works, and scaling up what works. That is an example of a program, not just in Flint, Michigan, but, I think, generally, around the country, that has been extraordinarily effective, and for a couple reasons.

First of all, obviously, at a time when going to college is so expensive, getting those college credits in your back pocket, before you graduate from high school is a huge boost to families and to students.

But your second point is actually the more important one to me—that we have so many students today that are first-generation, that may not have a parent who graduated from high school, let alone went to college, who might be new to the country, where they are smart, they are committed, they are working hard.

But they might think college isn't for them. They don't know that world. Social isolation is so profound, they might think they might not belong on a college campus.

And for those students, as a junior and senior year, who might be struggling, who might not really envision that in their future—for them to understand, “I can really do this. I can do this work. I belong in that world,” the psychological impact on that is extraordinarily important. And the more of that real exposure can happen

for children who don't have a family background of college-going, and college experience, I think it can really change their aspirations in very important ways.

Mr. KILDEE. Thank you very much, Mr. Secretary.

Mr. Petri?

Mr. PETRI. Well, thank you, Mr. Chairman. I have several questions I would like to submit in writing, if I could, to the secretary. We have limited time in this format, and I would look forward to your response to those.

I also wanted to touch on a couple points. And if you would care to respond to any of them, that would be fine—first, to thank you and the administration for the work you are doing in the direct-loan area. This program has been a great success, and it will be of great benefit to higher education, and to the taxpayer, and to students, to expand it as you have been suggesting. And I am looking forward to working with you to that end.

I understand you are going to be working on a number of reform suggestions in the vocational-education area, and, in that connection, would urge that you look at the experience of my own state of Wisconsin, where we have had a comprehensive vocational-education program for many years, that involves partnership of business, labor, local governments and the local school systems. And I think there may be some ideas that can be built on there.

I was excited about your opening-statement talk in favor of a better assessment and accountability electronic system. In that connection, Congressman Wu and I have introduced a bill, H.R. 665, which really shouldn't be necessary, which would just reverse the Education Department's denial of the ability of school systems around the country—states—to use adaptive testing, under No Child Left Behind.

My own state uses that at its own expense in nearly a third of the school districts. It is highly useful to teachers and others. And I would urge you to look at that policy, and see if we can't move into the electronic age.

It is the same program for everyone, but the questions aren't given in the same order, the questions vary. If a student is not able to answer the questions, they ask easier and easier questions, until they achieve a certain level of success. And, contrary, if they are acing it, they ask harder questions. So you get a really good assessment.

And I am hoping No Child Left Behind means every child gets assessed, and that assessment follows the child, and they make reasonable improvement from wherever they are, rather than an impossible goal of uniform success for every child, which is—we are not uniform human beings.

Third, there is a program called Troops to Teachers. It has been very successful. Over 10,000 people have participated. They have been outstanding—selected as outstanding teachers in their states, quite often. That has been pared way back by the Department of Education so that, now, only one of the 420 school districts in my state qualifies for Troops to Teachers.

Congresswoman Matsui, from California introduced legislation to attempt to correct what we feel is an improper ruling by the lawyers at your department to restrict this. It was not intended by the

drafters of the legislation—creating no Troops for Teachers. And this is an—you need good teachers to get good outcomes. And it is part of the process—and reaching out and getting people to experience—they are—these Troops to Teacher people disproportionately minority, male and going into math and science. It is just a wonderful program I think should be built upon, rather than being cut back.

Finally, there is a new inspector general's report on the Federal Student Aid office in your department, arguing that there are a lot of abuses in that. And I just want to ask if you were familiar with that report, if you plan to take any corrective action.

A provision in last year's Higher Education Act required the secretary to refer settlements over \$1 million to the attorney general. And a number of settlements were entered into prior to that, and it has been very costly for the taxpayer.

I wonder if you could look into whether any cases have, in fact, been referred to the attorney general, or are likely to be reviewed, or whether some of the settlements could be reopened before the statute of limitation expires. And so I think I have left enough on your plate, and I will stop there.

But, anyway, welcome aboard. I look forward to working with you.

Secretary DUNCAN. Thank you. Just very quickly—I am a huge fan of Troops to Teachers. I think it is a phenomenal pool of talent. You said many men from the minority community—great leaders, by definition, who are just phenomenal role models.

On a broader basis, I am just a big fan of alternative certification. And I think we have to think about these pools of talent from many walks of life and, historically, people who didn't major in education as an 18-year-old undergrad have been locked out of teaching.

And we have as many as 1 million teachers—are going to retire in the next 4 to 6 years—baby boomer generation coming out—presents some challenges. I think it presents a huge opportunity.

And our ability to recruit and retain the best and brightest, whether they are a 21-year-old right out of school or 35 or 55, coming out of the military—we have a chance to transform public education in our country for the next 25 or 30 years. So it is a huge opportunity. Troops to Teachers and, more broadly, alternative certification, is something we are going to push very, very hard.

Chairman MILLER [presiding]. Thank you.

Mr. Payne?

Mr. PAYNE. Thank you very much. And let me commend the Obama administration, and your department, for really starting to put the type of funding we need into public education. As a former public-school teacher in North New Jersey—and my three children are all either teachers or involved in education—I think this is very, very important.

Let me quickly ask several questions. First of all, with the growing demand for a global economy and strengthening standards in education as a result of No Child Left Behind, it seems that today's students have more to learn, but the same amount of time that they did when they were doing the farming in June. That is why

we left school—is the same amount of time we have in our public-school system.

Massachusetts expanded the school day, and at the end of the year, by 25 percent or 30 percent, for selected students, primarily in failing school districts. And it did show positive results.

What is your stance on having a longer school day? Have you given that any consideration?

Secretary DUNCAN. Yes. I really appreciate you bringing it up.

And when I speak to students, this is not my applause line. I usually get booed.

Mr. PAYNE. Yes.

Secretary DUNCAN. But I fundamentally think our day is way too short. I think our week is way too short. And I think our year is way too short. And our students today are competing against children in India and China. And those students are going to school 25 percent, 30 percent longer than we are. And our students, I think, are at a competitive disadvantage. I think we are doing them a disservice.

So let me explain, because this is a really important one. I think we need a longer school day, absolutely. I think, beyond a longer school day, our schools themselves need to be open much longer hours. I would argue 12, 13, 14 hours a day, with a wide variety of after-school programming, both for children and their parents and their older brothers and sisters, their family members.

I want schools to truly become community centers, community anchors, with a whole host of after-school activities. Those schools need to be open 12, 13 hours a day, 6, 7 days a week, 11, 12 months out of the year. And I worry tremendously about summer. As everyone here knows, our academic calendar is based upon the agrarian calendar.

Mr. PAYNE. Right.

Secretary DUNCAN. And not too many children are working the fields anymore. And I worry, particularly, about children who, you know, come from families, and don't have a lot of books in the house—and middle-class children, in the summer, go to summer camps, and they visit colleges, and they do enrichment—and children from more disadvantaged backgrounds really struggle over the summer. And it is well documented. This is one we don't need anymore studies.

We saw it all the time in Chicago—what we called “summer reading loss”—is you get children to a certain point by June, and they come back to you in September, they are further behind than when they left in June. It is absolutely crazy.

And so one of the things that we are pushing hard, particularly of all this influx of Title I dollars for poor families—is let us get more time—weekends, after school, Saturdays.

One thing we did this last year, in Chicago—I wish we had been smart enough to come up with it earlier—we brought back, on a voluntary basis, our freshmen, a month early. We had 15,000 freshmen—incoming freshmen—show up a month early. Think about that.

Children want to do something positive. They want to do something productive. We have got to open up our schools and think very, very differently. So time is a huge equalizer, particularly for

children coming from disadvantaged families and communities. And we have to be much more creative in how we lengthen the day, the week and the year.

Mr. PAYNE. Thank you very much.

In your opinion, are there any innovations that charter schools have adopted that you think public schools should consider, that has been successful?

Secretary DUNCAN. Yes, one big one—time.

You know, many charters are doing some interesting things around curriculum. But if you look at high-performing charter schools—almost every single one—they are working with those kids longer hours—longer days, longer weeks, shorter summers.

So when good teaching is happening, time matters. And we simply need more time, again, for those children who may not be getting what we want them to get at home.

So there are other things that are happening that is creative. But one of the, you know, most important common denominators is they are simply spending more time working at. It is not rocket science.

Mr. PAYNE. Okay.

Then I have a couple of other questions—but let me just get one, last quick one in. There is a budget item—although I really applaud all the great things that you have done—there is a budget item that eliminated, in your budget, the funding for a program called Ready to Read. It is a program that is funding PBS. And it is a teacher—online program, which has had a lot of success.

And I wonder if you could take a look at that and evaluate. It might have been something that, you know, you look—and said you are increasing—you are looking to cut—but it has been a pretty successful program. And I would appreciate it if you could get back to me on that particular program.

Secretary DUNCAN. Thank you. I will do that.

Chairman MILLER. Thank you.

Mr. Castle?

Mr. CASTLE. Mr. Chairman, we had—thank you.

Let me thank you, Secretary Duncan, for your engagement and involvement in what I consider to be as important as anything we are doing in this country. And let me just start with this question, which is a college question.

You and I discussed this a little bit. And I am all for the things you are trying to do; that is to shift money around, save more money, put it into Pell Grants or whatever it may be. But my concern is the cost of higher education.

As you undoubtedly know, higher education has had the highest per capita rise in costs of any measurable index in this country, including even health care. And that concerns me. And it is—I think it is beyond just the salaries of college presidents and a few coaches or whatever. It is the entire methodology of running colleges.

Is there anything that we, as a Congress, or you, in the department, or the president, could be doing to try to keep the pressure on, and reducing those costs? Because we just are not going to be able to afford to continue to underwrite it with the Pell Grants or whatever. And even the Harvards of the worlds are going to have

trouble with some of their losses in—of taking care of kids who couldn't—not otherwise afford college.

Secretary DUNCAN. Well, yes. As I said in my testimony—that, through the Perkins Proposal, we are really going to try and reward those schools that are doing the right thing.

But while I worry about it, I really do believe what I said early—that due to families being under so much financial pressure now, and the fact that we have so many universities out there—I think the marketplace is going to play here. And I think families are going to stop going to schools where costs are skyrocketing and running away. They have too many other good options, too many quality, low-cost options.

So we are going to continue to put pressure on and create some incentives. But the public is going to see this stuff. We are asking for transparency. We are asking to see, you know, what these increases are looking like each year.

And, again, I think our parents and our students are going to be very, very smart consumers. And you are actually seeing—it is interesting. If you are looking recently, you are seeing universities start to go to 3-year programs. You are seeing some universities start to go to sort of no-frills campuses—really back to basics, to reduce costs.

And there is a growing marketplace. There is a demand there. And so I think this is one we will—I give you my word. We will put the pressure on and we will really push transparency.

But the more universities do this—this is the wrong time, the wrong market for them to be going in that direction. And I think they will pay a price for it.

Mr. CASTLE. Good. And I hope you are right about all those things. We need to keep an eye on it, and keep working together on it.

In No Child Left Behind, we adopted having standards and assessments. And we had a hearing recently, in which a series of people, mostly state-involved, talked about common standards and a state-led approach to common standards. You have also used that expression. I want to make sure I understand what we are talking about.

Are we talking about common standards in a regional sense? Or are we talking about national standards in—and, obviously, assessments would have to follow all this. So when we talking about national standards and assessments—what do we mean by “common standards”?

And just another part to all this—I think our standards are low right now. I think they were set low and they stayed that way. What can we do to increase standards, apart from going to whatever the common standards may be?

Secretary DUNCAN. And this is a really interesting one. This goes, actually, back to the framework of NCLB.

And it is interesting—from a management's perspective, for those running the, you know, department or a business or school system—you always think thorough what you have managed loose and what you managed tight.

And what I think NCLB got fundamentally wrong is they were very, very loose on the goals. So you have 50 states, 50 different

goal posts, all over the map. And you are exactly right. Due to political pressure, the vast majority of those standards got dummed down.

Mr. CASTLE. Right.

Secretary DUNCAN. And what I have been pushing very hard is—I think in far too many states, including the state I am from, in Illinois—those standards have been dummed down so far that we are actually lying to children. And let me explain what I mean.

When a child and a parent hears that they are “meeting a state standard,” the logical conclusion is, “If I am meeting a standard, I am doing okay.”

But in far too many places, those standards have been dummed down so much that if you are meeting the standard, you are barely qualified to graduate from high school, and you are absolutely inadequately prepared to get into a competitive university, let alone graduate.

And so, I think, as a country, we are doing, in many places, a real disservice to children. And the one level playing field we have is the NAEP results. And it is interesting. You have some states where, in their state, 85 percent, 90 percent of kids are meeting state standards—on the NAEP, 15 percent.

Mr. CASTLE. I see.

Secretary DUNCAN. So these huge, huge disparities—who is lying? Who is telling the truth?

And so what I think we need is common college-ready, career-ready and, I would argue, internationally benchmarked standards. Again, I want our children to compete on a level playing field with children in India and China.

I don't think this should come from the federal government. There shouldn't be federal standards. There shouldn't be Department of Education standards.

But what you see happening is a really interesting movement. You have a set of state school chiefs that are working very, very hard on this. You have a set of governors that are coming together to work on this. The business community has been crying out for this for a long time. The not-for-profit sector, Achieve, College Board, Gates—are all on board.

And very interestingly, in the past 2 months, you have seen the presidents of both national unions, the NEA and the AFT, come on board and say, “We need to do something different here.”

This is an idea that I think, historically, people call it a “third rail,” or people are scared to talk about it. To me, it is really common sense, and we are going to really try and help—you know, help incent this and put some money on the table to encourage it.

But everyone—business, non-profits, you know, political leaders, state school chiefs, the unions, us—we are all saying that thinking about this in a very different way is the right way to go.

So I think, as a country, as we think about NCLB reauthorization, I think we should be tight on the goals—very clear on the goals—give people flexibility toward how to achieve that goal.

And, really, I think the great ideas for education—the innovation—will always come from the local level. It will never come from Washington. And the more we hold folks accountable for results—but allow them to be creative and to innovate and to entrepre-

neurial—to hit that higher bar—so tight on the bar, looser on how you get there—less descriptive on how you get there.

Mr. CASTLE. Thank you, Mr. Secretary.

Chairman MILLER. Mr. Scott?

Mr. SCOTT. Thank you, Mr. Secretary.

You had mentioned in your prepared remarks, the problem of drop-out. We, obviously, have dropout factories. We also have a situation that some dropout factories are actually getting credit for adequate yearly progress.

Would you support making the dropout rate an essential element in maintaining adequate yearly progress?

Secretary DUNCAN. Well, I think it is even broader than that is—again, as we think about NCLB reauthorization—now, I am just listening and learning, too, around the country. And I am learning so much talking to students and to teachers and the parents and to principals.

But I think one thing we can all agree on—if you have the best third-grade test scores in the world, but 50 percent of your students are dropping out, you are really not helping kids. You are not changing lives.

And so, at the end of the day, really thinking about graduation rates as a benchmark that we have to hold ourselves accountable for, collectively—at the district level, at the state level and at the national level—that is hugely important to me.

Mr. SCOTT. One part of the response to lack of adequate yearly progress of certain sanctions or responses, some of which have nothing to do with the subgroup that caused the failure. If one subgroup fails, then the response is a response that covers everybody.

Would you support a change in this to make sure that the response to a failure in adequate yearly progress would address the problem?

Secretary DUNCAN. Yes.

Let me answer this a little bit more broadly. And I think this is really important—that, as we think about NCLB reauthorization, we have a huge opportunity here. And this is something we are not going to do every year. You know, we are going to do this once every 5, 6 years—whatever the right rhythm is. We need to get this right.

And so let me be really clear. I think we have a chance to think “blue skies.” I want to continue to travel the country and really get the pulse of the country. But where things are working, we absolutely need to continue them and support them. And when things aren’t working, let us just not tweak around the edges. Let us fix it.

And so, without getting into all the specifics of what those are, we have a real chance here to build upon the successes, and build upon what made a lot of sense, and to think fundamentally different where things didn’t make sense.

And so I just want to, you know, ask all of you to work with me to think about how we take this to the next level and really do a much, much better job of creating the right set of incentives and consequences and rewards to help schools and school districts do the right thing by children.

Mr. SCOTT. Thank you.

And can you tell us, in a teacher's career, when the teacher is at his or her best?

Secretary DUNCAN. I wish I had an exact number on that.

Mr. SCOTT. Would it be the first year or the second year or they—

Secretary DUNCAN. I think—

Mr. SCOTT. As they become more experienced, they become better?

Secretary DUNCAN. Yes.

Teaching is like being a congressman. And it takes some years to learn the ropes and to be an—

Mr. SCOTT. Well, if that is the case, then some of the programs to get teachers into teaching only keep them in for 2 or 3 years, which seems to me—before they have gotten to their—what could be their best.

Should there be incentives in some of these programs that encourage teachers to get in—be incentives for them to stay in much longer, so that we can get the full benefit of those incentives?

Secretary DUNCAN. Let me answer that in two parts.

I think we have to do everything we can to keep our good teachers teaching. And we actually lose far too many of our good teachers because we don't adequately support them, we don't give them the classroom-management skills, we don't give them good mentoring induction, and we lose far too many of our good teachers.

The flip side of it is I think we have teachers who aren't good, who stay too long. And so it is really thinking about how we find out—how do we identify the best and the brightest, do a much better job of supporting them. Where it is just not the right profession—not keeping them in there for the next 25 or 30 years, I think, is equally as important.

And I think we have to improve on both sides—really making sure we keep the best and brightest, and how we have honest conversations with those that need to find something else to do with their lives.

Mr. SCOTT. Thank you.

And, finally, I have introduced legislation on youth-violence prevention, that takes a holistic approach, requiring the community to come together—the Youth Promise Act.

Secretary DUNCAN. I am sorry. I didn't quite hear you.

Mr. SCOTT. The Youth Promise Act—

Secretary DUNCAN. Okay.

Mr. SCOTT [continuing]. Which requires the community to come together in a holistic strategy, to deal with young people.

Can you say a bit about what we need to do, and how we need to address youth violence?

Secretary DUNCAN. That is a huge, huge, huge issue.

Mr. SCOTT. Well, rather than let you do it off the top of your head—

Secretary DUNCAN. Okay.

Mr. SCOTT [continuing]. If you could respond in writing, then—

Secretary DUNCAN. I will.

I would just say, quickly, that we have to dramatically reduce it not just in schools, but in communities. And what we want to do—I am a big fan of what has gone on in the Harlem Children's

Zone—what Geoffrey Canada has done there. And we have real money to try and create other Harlem Children’s Zones to replicate that.

I think creating the environment not just in the school, but in the surrounding community, where life is valued and where education is valued—we want to play in that in a big way.

Chairman MILLER. Mr. Kline?

Mr. KLINE. Thank you, Mr. Chairman.

Mr. Secretary, good to see you.

We just jump around to keep the witnesses on their toes as to where we might be sitting.

As you know, Mr. Secretary, for, now, over 30 years, the federal government has demanded through IDEA that all schools fund special education—provide special education. And the federal government was supposed to provide 40 percent of that funding. It has never come close.

We had a few years, from 1995 to about 2005, where we steadily brought that percentage up. It never got to 20 percent. And, frankly, Mr. Secretary, I was surprised when this budget came out, that you haven’t done anything about increasing that funding for special—why didn’t you fully fund IDEA in this budget?

Secretary DUNCAN. Well, I think you probably know, in the Recovery Act, we have put north of \$10 billion—

Mr. KLINE. Which still leaves us far short, by the way—that gets you, at the most—if you spent all \$11.5 billion in 1 year, you would still be well short of the 40 percent, and does nothing going forward.

So the question is still the same. You put in, oh, at least five new K-12 programs in the president’s budget, \$500 million for a new Title I early childhood grant program, \$300 million for a new Early Learning Challenge Fund, \$100 million for a new What Works and Innovation Fund.

The point is we are putting new programs in that are not fully funded. And, yet, we haven’t come close to meeting this obligation. And I just wondered why it wasn’t put in the budget.

Secretary DUNCAN. Well, again, I think there is an unprecedented investment in this; a dramatic increase the likes of which we have never seen before, that I am aware of. It is a very, very significant step in the right direction. And we, obviously, have to balance lots of different needs.

So we took a very significant step, I think, in the right direction there. But we have to look across the board, as well.

Mr. KLINE. So you just didn’t have the money? But we have money for new programs that will be chronically under-funded?

This House just passed legislation putting you in the school-construction business, which—and I am afraid, once again, we have got a new very, very expensive program, a federal-government program, which will be chronically under-funded, and will be competing again for this special-education money, for IDEA funding.

If we would fund IDA to the extent that we are supposed to the extent that we are obligated to—we would help every school district in America. These other programs are going to help some, not help some, advantage some, disadvantage others.

I would just really like to see the administration's—one of the great disappointments I had with the Bush administration—they brought in No Child Left Behind. There was a lot of discussion, some excitement, some disappointment. And we have been talking about that here.

But they didn't fund it either. And it just seems to me it is a shortfall that we ought to be able to agree, across party lines, and from across branches of government, that it is an obligation that we ought to meet.

And I appreciate that more money was put in when we were throwing hundreds of billions of dollars that we were borrowing, out to stimulate the economy—some money went in there—but that is a long way from actually budgeting for IDEA, and making a commitment to meet that 40 percent funding, and helping every school district in America.

So I understand the answer. You are where you are. But I would just ask you, as the head of the Department of Education, and working with this administration: Let us try to move that forward and help every school in America.

Secretary DUNCAN. Thank you, sir.

Mr. KLINE. I yield back, Mr. Chairman.

Chairman MILLER. Thank you.

Ms. Woolsey?

Ms. WOOLSEY. Thank you, Mr. Chairman.

Thank you, Mr. Secretary.

I just have to think out loud that it is quite strange that Mr. Kline didn't vote for the stimulus package, which would have—which did double IDEA—

Mr. KLINE. Would the gentlelady yield?

Ms. WOOLSEY. I am sorry. I really shouldn't have even said that.

Mr. KLINE. Exactly. Thank you.

Ms. WOOLSEY. Reclaiming my time.

Mr. Secretary, I was glad to see the president's budget request included \$10 million for Promise neighborhoods, as this is an issue I have always been interested in, about coordinating full services at or near the school site so that kids can come to school ready to learn. I just don't think we provide a complete product to the teachers when these children are hungry or scared or sick.

So could you provide us with any more information about how president envisions these grants to work?

Secretary DUNCAN. Yes. And this is, obviously—I think a huge step in the right direction. But this is money simply to plan. In the subsequent budget years, we want to put real resources on the table to basically try and replicate what has worked around the Harlem Children's Zone. And where we can make improvements, we want to do that, too.

But as everyone here understands, schools are not islands. They exist in larger communities. And the more we can create environments—to Mr. Scott's question—that are safe for children—the more we create environments where everyone from babies to adults are involve in their own education, and really supporting families—the more we are taking a comprehensive approach for communities that have been disadvantaged and underserved for far too long—

we create the climate and the culture and the environment in which students can thrive and be successful.

So there has been some very rigorous analysis of the results coming out of the Harlem Children's Zone. We are very, very encouraged by that. There is tremendous interest in this around the country. And we are going to put significant resources on the table. The philanthropic community is also very interested in this, so I think we can leverage some private-sector dollars here, as well.

And so our goal is to issue a request for proposals, an RFP, and to start working with a set of locations—and these aren't school districts—a set of neighborhoods, basically, that are really willing to think differently, think about the intersection of education and non-profits and the business community and religious institutions—to come together to create the environment in which every single child can thrive.

So it is a very, very exciting opportunity.

Ms. WOOLSEY. Well, I look forward to working with you on that. I think it is very important.

I am going to change the subject immediately to nutrition standards. For the foods that are sold outside of school meal programs—they haven't been updated since my children were in school in the 1970s.

And I have introduced legislation—H.R. 1324, the Child Nutrition Promotion and School Lunch Protection Bill—to update these standards.

And my question to you is: Do you support updating the nutrition standards for foods in vending machines and “a la carte” lines and other foods sold outside of the school meal programs? And are you going to help us with this?

Secretary DUNCAN. There is a lot of work we need to do. And I am going to work very closely with Secretary Vilsack, who has done a—I think he is going to do a phenomenal job there at the Department of Ag—that does the lunches.

But we need to think about what we are doing, not just around the food we offer—what we are doing around nutrition and obesity—what we are doing to promote healthy lifestyles and exercise. So there is a whole package of activities that, I think, we need to be much more creative on.

And so we need to think about those standards. We need to think about our lunches. We need to think about what is in the vending machines—

Ms. WOOLSEY. Yes.

Secretary DUNCAN [continuing]. What is available to kids.

And when you see children going to school in the morning with a pop and a pack of chips, I really worry about what kind of day they are going to have. And we see that all too often.

Ms. WOOLSEY. And what their teachers are going to have to put up with.

Well, speaking of creativity, music and—is part of education, as far as I am concerned. And I fear that, with No Child Left Behind, we squeezed too many of our music and arts programs.

And so how does the department plan to ensure that we have more art and music and creativity—

Secretary DUNCAN. Yes. These are great questions.

Ms. WOOLSEY [continuing]. In our curriculums.

Secretary DUNCAN. Again, whether it is art or music or dance or drama—and I would go—you know, chess, debate—

Ms. WOOLSEY. Yes.

Secretary DUNCAN [continuing]. Sports, academic decathlon—we need to do so much more if we are—again, if we are serious about reducing dropout rates and keeping students engaged—we need to do so much more to give students a menu of options, and let them figure out what their passion is.

And what always bothers me is these kinds of opportunities, historically—these have been normal opportunities for children who go to private schools. And for children who go to public schools, there are somehow seen as extracurricular—something that can afford to be cut.

And I think all of these things—I mean, there is a huge correlation, as you know, between music aptitude and math. But even beyond that, just giving students a reason to be excited about coming to school—and it might be the band; it might be the orchestra; it might be to perform in a play; it might be to be on the chess team or the debate team.

When we talk about lengthening the day and lengthening the—you know, the year, and creating these opportunities both during the school day and after school—I don't think we can do enough of this.

And, as I talk to students in Detroit, so many of them talked about—it was the band, it was the football team—those are the reasons why they kept going to school and didn't drop out.

And so I think we have to think very, very differently—get away from narrowing the curriculum, and investing in those things that give students a chance to be excited about coming to school, but to find their passion and build their sense of self-esteem.

Chairman MILLER. Mrs. Biggert?

Mrs. BIGGERT. Thank you, Mr. Chairman.

And, welcome, Mr. Secretary. And thank you for all that you accomplished as the CEO of the Chicago Public Schools. It was a pleasure to work with you on a couple of issues that you had with the then-secretary of Education.

And you were a winner there, and did a great job representing the Chicago Public School. So—

Secretary DUNCAN. Thanks for all your support.

Mrs. BIGGERT. Thank you.

And I think we expect great things from you as secretary of education. And with your vision and experience, I know that you will succeed. So we are really happy to have you there.

A couple of questions—turning back to the student loans that Mr. McKeon mentioned—approximately 25 percent of the student loans originate now through the Direct Loan Program, compared to 75 percent from the FFEL Program—and how are you going to switch, if we have to, to handle the increased volume required by the president's proposal?

And since all of those FFEL programs seemed to have worked—but I know we have had a discussion in the last several Congresses about the issue between the two programs—but why do we want to just continue with one programs, without much debate here?

Secretary DUNCAN. Yes.

I think the simple goal is to do the—create the best deal we can for students, for their parents and for taxpayers. And you have a situation where, as you know—that the FFEL Program was on life support—we, as a government, were heavily subsidizing the vast majority of those loans anyway.

And if we have a chance to move out of the business of subsidizing banks and put, you know, year after year, literally billions of dollars of additional resources out to students at a time when going to college has never been more expensive, it has never been, you know, tougher for families, and there has never been less resources at home to—a chance to do all this without adding another taxpayer dollar to the mix, I think, is the right thing to do.

And so what we want to do is really make sure, on the private side, that the private sector services these loans—we don't want to get in that business. That shouldn't be the business we are in. We can create real opportunities there, and create the competition and have providers that are doing a great job of servicing—give them more business, going forward.

So I think there is a real chance for the private sector to continue to play. But at the end of the day, the goal is simply to try and get the best deal we can for students, for parents, for taxpayers.

Mrs. BIGGERT. I guess I don't see the difference with the private loans, versus the direct loan—costing less. And with less competition, won't the costs go up?

Secretary DUNCAN. Well, no. Actually, the differences—to keep the private sector engaged, we have heavily, heavily subsidized that to a tune of billions of dollars a year. And we simply want to transfer those subsidies—those dollars—from banks to students.

And so it is a different priority, but we think it is the right priority.

Mrs. BIGGERT. Okay.

Then, just going back to the—the special ed, for a moment—and not the money, but, you know, special ed in the No Child Left Behind has always been, you know, a special category. And so many teachers that I have talked to where—when they were going to do the testing said that they were just in tears when they had to include the special-ed children in their grade level.

And I think that the No Child Left Behind did a great job of really increasing the quality of education for the special-ed kids. But at the same time, when those tests came along, it really was demoralizing and really a disaster for that testing. Is that going to change? Are you looking ahead to that?

Secretary DUNCAN. It is a really thoughtful question. And I think this is one—again, as we think about NCLB reauthorization—that we need to be very, very thoughtful on both sides of the equation.

Let me give you both that—I have heard lots of horror stories of students asked to take a test where they had, you know—couldn't begin to read the questions—and it would be an absolutely traumatizing experience. So does that make sense for that child? It doesn't.

The flip side of that is you want to maintain a high bar. And you have, now, in the current legislation, these exemptions of a certain percent of students, arbitrarily—that doesn't make sense either.

So I think we have to sort of find that balance act between walking away from accountability, which we absolutely don't want to do, and just, you know, exempting students—but also having an assessment that is appropriate for the students' cognitive ability.

Mrs. BIGGERT. Yes.

Secretary DUNCAN. And so we have to sort of find that—strike that balance. And we have some work to do to get it there.

Mrs. BIGGERT. Would you consider—or using their LAP to decide what test level they would take?

Secretary DUNCAN. If you are going to look these issues, you—you would have to look at the IAPs. It would have to be part of the conversation.

Mrs. BIGGERT. Okay.

Secretary DUNCAN. So I think this one and the other one that is complicated similarly is how you access the knowledge of English-language learners, ELL students. I think, on both of these, we need to have some real conversation, debate, and figure out who is doing the best in the country, and trying to scale that up.

Mrs. BIGGERT. Unfortunately, my time is expired.

Chairman MILLER. Mr. Hinojosa?

Mr. HINOJOSA. Thank you, Mr. Chairman.

Secretary Duncan, thank you for coming to visit with us. And I want to say that the remarks in the opening part of this meeting is excellent, because you address so many problems that are of concern to us in Texas.

I had the pleasure of going to China with a co-del led by Buck McKeon. And we wanted to know why their high schools were outperforming ours by so much. And we learned some of the things that you used in your remarks. And that was parental involvement plus early reading plus writing, equals success in school—was the way that they answered the questions when we met with stakeholder out there.

Number two, we saw that, on the weekends, they were doing exactly what you said today. And that was utilizing their schools for extracurricular activities and, thus, really utilizing their schools—longer days, longer weeks—all of that, we saw it ourselves, as members of Congress. So we want to support your thinking.

But I am going to focus on something that is also of great interest to me, because it is shocking to hear that in Detroit, we have had as much as 75 percent dropout rate. In minority populations like—districts like mine—80 percent Hispanic—we have 50 percent dropout. And it is tough as heck to get our kids to go to college.

The National Center for Education Statistics report that since 1984, minority undergraduate student enrollments surged by 146 percent, compared to growth of only 15 percent for the white population of students. Minority-serving institutions represent less than one-third of all degree-granting, Title IV institutions, but enroll more than half of all the minority students.

How does this administration plan to build on the efforts that Congress has already made in the passage of the—I think we call it the College Cost Reduction and Access Act, plus the passage of Higher Education Opportunity Act?

Secretary DUNCAN. I think one of the most important things we can do as a country is get many more students going to college, but

particularly, students from the minority community. And I think this huge expansion in resources to make college more affordable—Pell Grant, Perkins Loans, tuition tax credits—the students going to those minority-serving institutions often come from financially difficult situations. And they are going to be huge beneficiaries of these new resources.

So I think if we can continue to put this money on the table year after year after year, and families can know that they have access to these resources—that is going to be very, very important.

And let me just add one quick thing on that. To me, again, it is not just the money. It is students, at a young age, knowing that money is going to be there for them—this idea of making it mandatory—because I worry a lot about really smart third and fourth and fifth and sixth-grades whose father might have lost a job, whose mother may have taken a 50 percent pay cut, who start to think at an early age, “Because of my family’s financial situation, college isn’t for me.”

And if we, as a country, can say, “This money is mandated. This money is going to be there. It doesn’t matter what is going on at home,” I think, again, the psychological message at an early age that is sent to students—so there is a reason to hope. There is a reason to work hard.

Mr. HINOJOSA. I agree with you.

And I want to say that, back in 1998, we started the GEAR UP Program, which was intended to address that children could see that, if they stayed in school, there was light at the end of the tunnel.

So we need to consider increasing the GEAR UP Program funding, if we are going to answer that concern of yours.

But let me go on to visits by chancellors and presidents, in my office, saying that accessibility and affordability to higher education was their highest priority.

And you answered Congressman Castle’s question of—as far as I am concerned, on skyrocketing costs of college education. But let us go, then, to the issue that you discussed earlier, about supporting—I know I want to support your college-student loan program because, according to numbers that I saw—the Congressional Budget Office estimate that the savings of the direct government student-loan program—can yield \$93 billion over the next 10 years.

And my question to you is: What can we do in Congress to help—that this program is going to be successful the next decade?

Secretary DUNCAN. Yes.

Well, this is obviously—this is in our fiscal year 2010 budget. And your support of that measure would be extraordinarily important. We can help students, as you said, for decades, without asking for another dollar from taxpayers.

Mr. HINOJOSA. Thank you.

Chairman MILLER. Mr. Secretary, I know we were hoping to hold you here until 11:30. If you could stay with us another 15 minutes, there is no shortage of members who have questions. But we expect votes starting, probably, in about 10 minutes.

On this side of the aisle, I have Mr. Thompson, Mr. Roe and Ms. Guthrie. And, over here, is McCarthy, Tierney, Davis—all of it depends on who shows or doesn’t. Oh, Mr. Thompson left.

So, Mr. Roe?

Mr. ROE. Thank you, Mr. Chairman.

I have spent 24 years in the public-school system. I told the committee last week, "I overdosed on it." But I think education is not a cost, but an investment. And I think we look at it as a cost. And as you said earlier, money—and, very eloquently—money is not always the answer.

And I guess one of the first questions I want to ask you is: We have been spending more and more and more money, and getting worse and worse and worse results. Why is that?

Secretary DUNCAN. I don't know if I totally agree with that. I think what we see is very uneven results. I think you see some places of extraordinary excellence, and school—school districts, individual schools, charter groups—getting phenomenal results with very difficult populations. And you see other places, you know, like Detroit—which I think is, like, Ground Zero, educationally.

So what I see is not uniformity. I see very disparate outcomes. And while that presents some challenges, to me, it is actually why I am so hopeful that I would argue we have more good ideas about what works today, than we have at any previous time. And over the past 5, 10, 15 years, we have seen more entrepreneurial educators. We have seen great visionaries step up.

And so in every community—rural, inner-city, urban—we have examples of schools and children beating the odds every single day. What I want to do is to invest wisely, and to really take to scale those best practices, and invest in what works.

And so I think we have a real opportunity here to make those pockets of excellence, systems of excellence, and sort of get away from this idea of islands, and make these high-quality opportunities the norm, rather than the exception.

Mr. ROE. I agree with that.

I live in eastern Tennessee, and trained in west Tennessee, at Memphis. And my wife taught for 3 years in the school system there.

One of the questions we get all the time—and I will make just one comment, and then ask you the question. I am right with you on this alternative certification, because, as a physician, I can't be qualified to teach eighth-grade health.

Secretary DUNCAN. Right.

Mr. ROE. That is crazy.

And you can't teach health in high school. I couldn't do it if I retired and wanted to do that. So I am with you 100 percent that we need to have ways to get folks who have retired as chemists and mathematicians and so forth, back in the school. And I agree with that.

One of the things we hear—and I know you have heard it, until you are deaf—is that the teachers—and I have many, many of them who have been patients of mine, complain that, "Look, Dr. Roe, I am just teaching to the test. That is what I am doing."

How do you answer those teachers in the classroom? When we talk about a—and I agree with you, the standards are all over the place. And if we have a national standard, how do we answer that question?

Secretary DUNCAN. I think the real question is not “teaching to the test,” but the question is, “Is it a good assessment?”

I think if it is a good assessment, then you want people teaching to it. And if it is a bad assessment, you don’t.

And so, again, really thinking about this high bar, and thinking about making it quality, and thinking about, “Does it evaluate critical-thinking skills?” Are we teaching our children to think and to write, and to express their ideas critically?

And if we can collectively come up with assessments that are strong, that are good assessments, that—I think that is a good thing. I can’t speak for you, but you had to pass, you know, some exams to become a doctor. If those are good exams, teaching to those is actually a good thing. It gives you the knowledge and skills you need.

So really thinking about the quality of assessments, I think, is very, very important, going forward.

Mr. ROE. I had to chuckle a little bit when you said about how we wanted to get the government out of the business of banking. Anyway, I won’t go there.

In China—I read a statistic the other day, or saw a statistic the other day, where they have more honor students than we have students in this country. That is a scary number, when you compete on the world market.

Secretary DUNCAN. Yes.

I think so much of our challenge, honestly—you know, money is a piece of the answer. But let me be clear: The money is only good if we leverage reform. If we invest in the status quo, we are not going to get where we need to go in the country. We have to drive a very strong reform agenda. And, secondly, we have to raise our expectations with adults.

And a huge part of the problem is we have too many adults who don’t really believe that children can be successful—and thinking about how we get more students taking A.P. classes, how we get more minority students taking A.P. classes.

We, as adults, have to really believe in our hearts that every single child, regardless of family background, regardless of socioeconomic status, can be successful. And not to just belabor this, but I met with this phenomenal students in Detroit—worked hard to overcome horrendous odds—super-smart, going to college.

I have come to understand they don’t have an A.P. class in their high school. How is that possible? How is that possible today?

Mr. ROE. I guess one other thing, right quick—and then you may have to answer this—because I know the other folks want to ask questions—but on schools that are failing, 2,000 schools equal half of our dropouts. Why don’t we do something?

I am a person that is gone to nothing but public schools, but—a charter school or a scholarship or anything to get them out of there, because we are letting a generation fail.

Secretary DUNCAN. Well, I think we have to turn those schools around.

And, again, we did this in Chicago. There are other folks who are good in this business. And just to continue to invest in a situation that is broken—I think we have to think very, very differently.

Let me be clear: The high-school dropout rate is not just a high-school issue. It means you look at those high schools. We have to look at their feeder middle schools. And we have to look at those feeder elementary schools. And if we can look at all those schools at the same time, we can change the opportunity structure for that entire neighborhood.

But this takes courage. This takes the willingness to challenge the status quo. Tinkering around the edges here is not going to get us where we need to go.

Chairman MILLER. Mrs. McCarthy?

Mr. ROE. Thank you, Mr. Chairman.

Mrs. MCCARTHY. Thank you, Mr. Chairman.

I certainly welcome you, Secretary Duncan. We had a few minutes to talk earlier, about school safety. And that is going to be something that I have been working on for a number of years.

I agree that, you know, there is a lot more work that needs to be done. But you are probably one of the few, if not only, secretary of Education, that is coming from a school district, or from a—yes, from a school district—that has had, unfortunately, an awful lot of violence in those schools. I have some of those schools in my district. And I guess anyone that is in a urban-suburban area sees that.

So one of the things that I wanted to ask about was—your budget proposes to zero out the state grants for safe and drug-free schools and transfer a portion of that funding to the national programs.

I guess what I am looking at—you know, why do you see the money going from the safe and drug-free, into the national programs? But I guess what confuses me—if you believe the national programs are better, then why only take—I guess you took \$110 million out of the \$295 million. So it is kind of leaving both programs starving, I guess.

One other thing, too, is that I also believe—many of our students are doing excellent. Unfortunately, it is middle school and high school that we start to see the dropouts starting.

We have worked in my district on Project GRAD. The TRIO Program works terrific. What we have seen—where the kids, when they got involved in it, they were able to bring other youngsters, that probably never would. We see their marks going up, and going to college.

So with that, I would appreciate your answers.

Secretary DUNCAN. Yes.

I will take the second one first. You know, Project GRAD, TRIO, GEAR UP—all those programs—dual enrollment—we talked about all these programs that are giving students exposure and access to higher education, not just as juniors and seniors, but in fifth and sixth and seventh grade—I think are hugely important.

So we want to continue to do more there. And, again, this idea of social isolation and breaking down those barriers is so important to me, and really helping students aspire to be successful. And understanding they can fit in in that environment is critically important.

On the safe and drug-free, it was a simple strategic decision. We had some significant research from IES showing that the money

going out to states basically got that looted. There was no real impact. And I want to get that money to districts. I want to get that money to where the action is.

And, so, at the state level, we didn't see much positive going on. If we can use that money to get it out to schools and to districts, and really make an impact there—we thought that was a better strategic decision.

Mrs. MCCARTHY. Now, are you going to increase the amount of money in it, so that when you are looking at the school that needs to have—you know, I have several under-served schools in my district that—a lot of these programs are there. It is working.

I wish it just could go through high school, and not just at certain grades, though.

Secretary DUNCAN. Yes. Yes.

No, I understand the concern.

Chairman MILLER. Thank you.

Mr. Guthrie?

Mr. GUTHRIE. Thank you, Mr. Chairman.

Thank you, Mr. Secretary, for being here.

And I worked in these issues, in the state legislature. And when we finally started to come up with policies I thought that were better, is when we spent a lot of time studying failures and why schools failed, and called superintendents up and said, "Why are you failing?"

And we finally decided—and I heard Jack Kemp say it, actually, and it changed my attitude about it—we need to look at schools that, demographically should be—or you would predict to fail, that were successful, and study success and how you replicate it. And that changed the whole way we thought about it. So we need to replicate success. And I just look at the failing schools.

One question—I was just taking a picture on the steps of the Capitol yesterday. And it had all these students sitting around in high school. And the mom said, "How are we going to pay for college?" That is the number-one issue in people's mind today, I think.

And I think one of the biggest issues in the country—because people have to say, "pathway to the middle class"—and it is through college. And they are seeing that. That is going on, so I am glad that is a priority.

And there is a question on the failed programs, as we were looking at this. My understanding is the \$93 billion is money that the banks would be making on these programs, not necessarily a subsidy paid to the banks. It is \$93 billion. And by the government doing a Direct Loan Program, the \$93 billion would be coming to the government instead of the banks.

And the government can borrow at a lower interest rate. And, therefore, are we going to reflect that back in what the students pay? Or, for instance, if the students have a fixed pay to the private bank, and they pay the same rate to the government, and the government's loan—able to loan money at a lower rate, then the government's actually taking some money from these students who are struggling to go to college, and funding other programs with that.

They are subsidizing other programs. Is that accurate?

Secretary DUNCAN. I need to get clear on the technical side of that. And Bob Shireman is actually testifying here today. And he can walk that through.

But I guess our simple—again, our simple goal is to, you know, figure out what is right for taxpayers, for students, and for their families. And the goal is not subsidizing the banks, but putting more money, on an ongoing basis, on an annual basis every single year, to increase access and affordability—we think it is absolutely the right thing to do.

But we are not looking to make a margin on this, to be clear.

Chairman MILLER. Has the gentleman's time expired? Oh, it hasn't. Okay.

We will be having a hearing on the loan program tomorrow, in the committee. And Mr. Shireman will be among one of the witnesses.

Mr. Tierney?

Mr. TIERNEY. Thank you, Mr. Chairman.

Thank you, Mr. Secretary, for being here today.

I have to take 1 minute of time, unfortunately, just because I don't think it should continually go unaddressed. Our friend from Michigan—or from Minnesota, rather—was talking about IDEA funds.

And it continues to amaze me how people can continue to say that this is a legislative mandate. Those that know the history of that law know that it is, in fact, a judicial mandate, where the courts indicated that every child deserves an education. And the 40 percent was an authorization number, not a commitment or promise or a spending—appropriation number.

And when Mr. Kline and I had the motion to fully fund IDA—for several years in a row, we were in the minority—not a single Republican voted for it.

So we all do—and I happen to be someone who believes we should fund as much of it as we can. It gives money down at the local communities for flexibility—but just to get the history straight on that.

I want to congratulate you and the president on focusing on the cost of higher education. And I would like to get a commitment from you—in that latest bill—the Higher Education Act that we passed—were policies in there to reward colleges that kept their—their increases on tuition and fees down to the cost of living, and give them incentives by giving them more campus-based aid, and the provision that states would maintain their effort—that they couldn't simply take the federal money and then take a walk—and take their money out of the picture.

Are you committed to enforcing both of those provisions as much as possible, and to driving the cost, at least, to a more reasonable rate?

Secretary DUNCAN. Absolutely.

Mr. TIERNEY. Okay. I appreciate that.

On the issue of reading, we had a lot of people that had troubles with Reading First, and some people that liked Reading First. Tell me a little bit about what your philosophy is. What will replace the reading emphasis in this administration? Are you setting standards

and expecting Congress to fill it in from there, or do you have a particular proposal for that?

Secretary DUNCAN. No, what we want is a balanced and comprehensive approach. And we want to fund this at every level—the early childhood piece; we want to do stuff at the middle school. And we want to look at this at high school, as well. And I worry about teenage literacy a lot, as well.

So we have to look across the board. And this proposal, over \$370 million, we think, addresses the real need out there. And we want to be very, very thoughtful about how we do this.

Mr. TIERNEY. Can you talk to us a little bit about the role of teacher performance and so-called merit pay in the president's and your plans?

Secretary DUNCAN. Well, I will just simply say that there is unprecedented resources on the table to reward excellence. And I think we can't do enough to highlight those principals, those teachers, and those schools that are beating the odds every single day.

And I think, in so many other professions, excellence is routinely rewarded. And, somehow, in education, we have been a little bit scared of that.

So, through the Teacher Incentive Fund that the chairman spoke about—that we have over \$500 million to put on the table for districts that want to help reward excellence, and support those schools that are making a great difference.

Mr. TIERNEY. So your philosophy is to incent others to come up with the ideas locally, as to how they would do that, as opposed to imposing a particular model?

Secretary DUNCAN. Oh, absolutely. There are lots of good models out there.

And so, yes, I think our goal, again, is to really invest in what works. But I always think, you know—when I was in Chicago, I didn't think good ideas came from Washington. Now that I am in Washington, I know all the ideas don't come from Washington.

The best ideas are always going to come from the local level. But we want to really reward those folks that are pushing the envelope.

Let me just say quickly, on this—because it gets a little complicated—what I will say is where you have programs that pit teachers against each other—I think those fail. And if we have five teachers in a school—and if only one teacher can make more money, then that pushes me to close my doors and it does not incent the right behavior.

And so I am really big on collaborative awards. And we created a program in Chicago that came from our teachers—where every adult in the building—not just the teachers benefited—but the principals, security guards, the custodian—the custodians, the lunchroom attendants.

And as you guys—you know, as we visit high-performing schools around the country, uniformly, it is every adult in that building that is part of that culture. And so the more we really create this idea of teamwork and camaraderie, and the—you know, the lunchroom attendants are making sure they are serving good food, and making sure the students are eating, and the custodians are making sure the building is immaculate. And the security guards are

making sure students are safe and they are taking their backpacks home in the evening.

The more we create that sense of teamwork and camaraderie, the better we are going to see schools do.

Mr. TIERNEY. Just to close with one administrative question—I am concerned that a number of states are not using the Recovery and Reinvestment Acts for Education in the manner in which they should. You made a statement in your opening remark about that.

It seems to me that there are some games being played and, in fact, that some are just making themselves and the state budget healthy at the expense of not keeping teachers on the payroll, or other education personnel, and not filling in those gaps.

Do you have enough personnel on your staff to actually do the kinds of reviews that are necessary to enforce those provisions?

Secretary DUNCAN. We are going to look at this very, very closely.

So I do not need an army to do this. We are watching this. We are monitoring this very closely.

And we did two things. And I am a big believer in carrots and sticks. We put out very significant monies through the stimulus package. We withheld billions of dollars. And if folks are acting in bad faith, if folks are gaming, we have a real opportunity not to send out that second set of money.

Second, we have these unprecedented discretionary resources—Race to the Top, school-improvement money, teaching—we have all these other resources that states would love to have. If states are playing games now, they are basically going to disqualify themselves.

And so this is going to be really interesting to see how creative, how innovative, states are, going forward. And we have both carrots and sticks to play.

And we will see what happens.

Mr. TIERNEY. Well, thank you. We look forward to working with you.

Thank you, Mr. Chairman.

Chairman MILLER. Thank you.

Mr. Hunter?

Mr. HUNTER. Thank you, Mr. Chairman.

Mr. Secretary, great to be with you.

We share your last name, and my first name. So it is at least one thing we have in common here—Duncan.

I have got a specific question. I am a veteran, a California resident. I went to San Diego State University. And it was probably about \$1,200 or \$1,300 a semester, when I went to school. You could work, literally, for the summer, and, you know, pay for your fall semester.

But right now, with our post-9/11 G.I. Bill funding for California veterans—they don't get their G.I. Bill towards any actual tuition for private education. They only get for local fees, because state schools in California—public institutions for higher education—charge only fees. They don't charge tuition.

Stanford, for instance—if you were smarter than I am, then you went to Stanford. G.I. Bill wouldn't help you at all, because that is private education.

So I am wondering, on that particular issue, if you have talked to the V.A. at all, and if you have any kind of fix. Because there have been exceptions for this in the old Pell Grants. Just checking to see if there is anything now—if we could fix it permanently so that G.I. Bill covers both private and public institutions in California.

Secretary DUNCAN. Yes. I will absolutely look at that for you.

Just a question—is that a California-specific issue, or is that a national issue?

Mr. HUNTER. California-specific.

Secretary DUNCAN. Okay. So I need to better understand that one. I will look at it for you.

Mr. HUNTER. Okay.

And, second—tying into this—veterans, right now, have higher unemployment rate than on average. Guys getting out of the—the military—they are 22, 23 years old. They might have been infantry or artillery. They might not have learned a skill.

I see them as being disadvantaged because we are not going after them. These are highly motivated, highly disciplined, usually more-mature-for-their-age men and women that have served, that have sacrificed, that have been under extreme pressure.

What are we going to do for them to make—to try to get them into schools, and bring them into the workforces as educated adults that have 4-year or 8-year degrees?

Secretary DUNCAN. Yes.

I would love them all to come teach. I want to work very, very hard with that population coming back from Iraq and coming back from Afghanistan.

Obviously, they have lots of other interests, but those folks that want to come into the classroom—I think they would be phenomenal teachers. I think they are going to be great leaders. You said they are mature. They are not going to be scared. You know, nothing we can throw at them is going to be tougher than what they have seen before. These are great role models—real disciplined—you know, a real sense of mission.

And so I want to do everything we can on a creative basis. I have talked about, you know, Troops to Teachers and alternative certification. That, to me, is a huge pool of talent that I want to try and open our doors and get them to become teachers, if that is in their heart.

Mr. HUNTER. The problem is, though, just getting them into school, because there is no net to catch them after they get out after 4 years. And they are suddenly released back into the civilized world again—they don't really know what to do.

They go home sometimes. They are looking for the—you know, the help-wanted ads. They don't realize that their G.I. Bill is going to pay for them to go to school.

And we kind of let them out of that net. And we should be catching them and taking advantage of—

Secretary DUNCAN. So we should think together of how we would do a better job of proactively reaching out. I think the community colleges are a huge opportunity. And due to some of these increases in subsidies that—you know, that is almost free for many folks today.

You know, I think the average cost of community college is \$2,500—\$3,000. And the Tuition Tax Credit—you are basically going for no money.

If you get on that track—again, whether it is education or something else, I think the community colleges are a huge, huge opportunity for vets coming back home. And we should think about how—like you said, we don't just let them wander. We reach out to them and let them know the opportunities that are out there for them.

Mr. MCKEON. Will the gentleman yield?

Mr. HUNTER. Absolutely.

Mr. MCKEON. Mr. Secretary, this is a V.A. program. We just hope that they would reach out to you to help administer—I think, because of your experience in getting dollars out to the states—

Secretary DUNCAN. Yes.

Mr. MCKEON. The way they send the money out, the California veterans are penalized because California is the only state that does not charge tuition for in-state residents.

Secretary DUNCAN. Yes.

Mr. MCKEON. So I think we put a bill in yesterday, and we think that we can solve this. But we hope that they will include you in the—

Secretary DUNCAN. I would love to help.

That, to me, is like a no-brainer. And it doesn't make any sense. And we should fix it. So whatever I can do—and—

Mr. MCKEON. About \$6,500 per California veteran would be available to our fix, and this would be a good thing to do.

Secretary DUNCAN. Let me know what I can do to be supportive.

Chairman MILLER. Mr. Holt?

Mr. Holt is going to have the last question. The secretary has been very generous with his time. We have held him over. And we are going to have votes in a matter of minutes.

Mr. Holt?

Mr. HOLT. Thank you, Mr. Chairman.

And, Mr. Secretary, thank you for coming.

I must say, many Americans have high hopes riding on you. And we wish you every success.

Speaking before the National Science Teachers Association, you said that, "Science is all about questioning assumptions, testing theories, analyzing facts—the basic skills that prepare kids not just for the lab, but for life. We are doing kids a disservice if we don't teach them how to ask the tough, challenging questions." I couldn't agree more.

Under the AARA, you have the \$5 billion—approximately \$5 billion Race to the Top Funds. I would like to know if you plan to use any of those in connection with science education.

Secondly, following along this, the 2010 budget actually trims the funding for the math-science partnerships, slightly. It is way below what it was when it was the Eisenhower Funds of a decade back. I think it is an essential program.

I would like to hear what you are going to be doing to increase that program, or if you have some other way that teachers are going to get the professional development that they need and deserve in science education.

Third point I would like to ask you to touch on is foreign languages. Foreign-language instruction isn't easy. It should start easy. It should be an integral part of even the elementary curriculum, all the way through—what foreign-language reforms do you propose? And along that line, are you going to create an assistant secretary for international and foreign-language study? There is now a deputy assistant secretary.

It might be more than you can cover now. If you can't cover all of that, I would appreciate your getting back to us on those points.

Secretary DUNCAN. We can get back to you. I will try and do as best I can to answer quickly.

I think—and, again, this is controversial—we have shortages of math and science teachers. We have shortages of foreign-language teachers. I think we need to pay those teachers more.

We have been talking about math and science shortages for, I don't know, 25 years—30 years? I would like to stop talking about it. It is hard for students to be passionate about something that their teachers don't know. It is hard to teach what you don't know, and so many of our students' interest in math and science starts to peter out in sixth and seventh and eighth grade. Guess why? Because the teachers don't know the content.

And so, with these resources, we want to do a number of things. I want to pay teachers more in those areas of critical need. I would love to send thousands and thousands of teachers back to school to learn the math and to learn the science. And we have numerous partnerships with universities so they can get the endorsements and have the content knowledge.

I think that is the only way, long term, we can get more students interested and passionate in staying in the field. And I think it is a real loss for our country in terms of productivity when students don't have these kinds of opportunities.

So I think we have to look at many pots of money—again, unprecedented, you know, stimulus dollars, unprecedented Title I dollars, Race to the Top Fund—all of these can be used for professional development. These can be used to pay teachers more to work in areas of critical need.

I think we need to be much more thoughtful and creative about how we are creating this structure where every child has access to a great math teacher, a great science teacher.

Finally, on foreign language—starting young is absolutely right. Starting in high school is late in the game. Starting, you know, 3-year-olds and 4-year-olds and 5-year-olds and 6-year-olds—it is just like second nature to them.

So the more we can provide those opportunities early on, the better students are going to do.

Mr. HOLT. Well, you know, decreasing the funding for the math-science partnerships, which is the only U.S. Department of Education program that is available across the country, to all schools for teacher professional development in science and math—the only program that is out there—to reduce it, rather than to double it is not the right way to go.

Maybe you have other things in mind, but I would like the specifics on that.

And, again, with the Race to the Top Funds—if you could be specific about how you will be using what funds for science education, I sure would appreciate hearing it.

Secretary DUNCAN. Sure. And just to correct the record, we actually didn't reduce it. We capped it. We level-funded it. But it did not get reduced. So it—

Mr. HOLT. You know, it is half of what it was when it was the Eisenhower Funds a decade ago.

Secretary DUNCAN. Well, that may be true, but—

Mr. HOLT. Teachers need this professional development.

Secretary DUNCAN. Right.

And I fully understand. But, again, there are unprecedented discretionary resources on the table. And to have districts, to have schools step up and invest in those things that make a difference—there has never been this kind—the magnitude of this opportunity.

And so there is a huge, huge chance for states and districts to invest in professional development, and to invest to pay those teachers—pick a number—\$5,000, \$10,000, \$15,000 more to teach in underserved communities—never had more latitude to do that—and when we look for that creativity to come from local districts and local schools.

Mr. HOLT. Great.

Thank you very much, Mr. Secretary.

Thank you, Mr. Chairman.

Chairman MILLER. Thank you, Mr. Secretary, for being so generous with your time with the committee. I was told to have you out of here a half an hour ago. I thought we were going to have votes, as we were told by the floor. That didn't happen. And you have stayed beyond that time.

There are members who have statements that they want to make. There are members who have questions. We, obviously, would like the opportunity to forward both their statements and their questions to you for a response. They didn't get an opportunity this morning, but they have a burning interest a number of these subjects and on the plans of the administration, with respect to that.

So without objection, members will have 14 days to submit additional materials or questions for the hearing record.

The chair and the ranking member will make sure that those materials are forwarded to the secretary for a response.

Without objection, this hearing will stand adjourned. Thank you again.

[The statement of Mr. Ehlers follows:]

**Prepared Statement of Hon. Vernon J. Ehlers, a Representative in
Congress From the State of Michigan**

Chairman Miller, thank you for holding this important hearing today on President Obama's education agenda.

I appreciate Secretary Duncan's testimony on the importance of "ensuring that our children and young adults have the education they need to ensure they enter the workforce with the knowledge and skills they need to be successful and to help rebuild our economy." I know that Secretary Duncan understands the importance of science education. When he served as CEO of the Chicago Public School District, Secretary Duncan had an exceptional science teacher, Michael Lach, helping to design the math and science curriculum. Mike previously worked in my office as an Einstein fellow, and understands the unique intersections between science content

knowledge, curricular development and legislation. I certainly hope that Mike still has your ear—he provided me with good advice and our nation would benefit from his counsel on science education policy.

More than 10 years ago, I led the effort to develop a new, sensible, coherent long-range science and technology policy for our nation. The Committee on Science published my efforts, *Unlocking Our Future: Toward a New National Science Policy*, in September 1998. This report found that extensive changes are needed to improve math and science education in the United States, and many of its findings are still relevant today. I am pleased to present Secretary Duncan with a copy of this report, and would be delighted to discuss it in detail.

My work and a host of other well regarded studies have concluded that an investment in teacher professional development is sorely needed to make fundamental changes to our students' understanding of math and science.

Before the No Child Left Behind Act (NCLB), Congress provided substantially more funding for math and science teacher professional development through the Eisenhower program than we have had since 2001. While Title II, Part A—the State Grants for Improving Teacher Quality—may be used for professional development, a 2005 U.S. Department of Education report found that the majority of districts use these funds for class size reduction. Many science teachers report little, if any, funds available for professional development activities. NCLB required schools to begin science testing in the 2007-08 school year, and our teachers must be equipped with the tools to effectively teach math and science.

The Math and Science Partnerships program is an innovative, proven program designed to improve teacher content knowledge and teaching skills in math and science subjects. Through formula grants to every state, the Math and Science Partnerships provide crucial teacher professional development and teacher in-service training by linking school districts with university mathematics, science and engineering departments. As a result of the Math and Science Partnerships program, our students' math and science skills will be strengthened.

Unfortunately, President Obama's fiscal year 2010 budget requests level funding for the Math & Science Partnerships program. For years, Representative Holt and I have fought to increase funding for this valuable teacher professional development program. I find it very disheartening that the President's budget does not request adequate resources for this program, and hope that this request will be reconsidered.

On a related topic, I am pleased that President Obama's budget requests funds to "support activities to strengthen States' content and achievement standards and assessments, such as activities to develop college- and career-ready standards and assessments". It is absolutely key that science be treated on par with reading and math in any update of the No Child Left Behind Act. Last Congress, I introduced the Science Accountability Act to hold states and schools accountable for student learning in science, and I am reintroducing this bill today. Also, I strongly support voluntary, national math and science education content standards, and, in June, I plan to reintroduce the Standards to Provide Educational Achievement for Kids (SPEAK) Act, which provides financial incentives to states to adopt world-class, national math and science standards.

Finally, I look forward to working with President Obama, Secretary Duncan, and the Members of this Committee on reforming the No Child Left Behind Act. This law is overdue for reauthorization, and the lack of legislative action greatly concerns me. We must update this law with improvements to math and science education to unlock the future for our children.

[Questions submitted and the responses follow:]

[VIA ELECTRONIC MAIL],
Washington, DC, May 27, 2009.

Hon. ARNE DUNCAN, *Secretary,*
U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

DEAR SECRETARY DUNCAN: Thank you for testifying at the May 20, 2009 hearing of the Committee on Education and Labor on "The Obama Administration's Education Agenda." A number of Representatives have asked that you respond in writing to the following questions:

REPRESENTATIVE DONALD PAYNE (D-NJ)

1. Mr. Secretary, I am concerned that the Administration's budget eliminates funding for a program that has produced tremendous results for teachers nation-

wide, Ready to Teach. A current recipient of Ready to Teach funds is PBS TeacherLine. PBS TeacherLine has been the source of high-quality, online fully facilitated professional development since 2000, serving more than 55,000 educators across the United States in the past four years alone. With a recent focus on coaching and mentoring, PBS TeacherLine created Peer Connection, a field-tested, high-performance suite of collaboration and communication tools created to strengthen and streamline instructional coaches' work with the teachers they're supporting. This appears to be an innovative practice that should be encouraged by this administration. Can I get your commitment that you will take a closer look at this program and evaluate it on its merits and success?

2. As you think about what is needed to help students succeed academically—particularly those living in poverty—what are some of the innovations that have been successful that you would like to advance nationally?

3. How important do you think “added time” or “expanded learning time” is to helping close the achievement gap?

4. Do you support flexibility in how federal dollars can be spent to meet the needs of struggling students? For example, using funds like those designed for Supplemental Education Services to support more comprehensive approach to add learning time for students?

5. How can federal dollars, such as those in the American Recovery and Reinvestment Act and in the President's Fiscal Year 2010 budget, be used to support expanded learning time?

REPRESENTATIVE BOBBY SCOTT (D—VA)

1. Given the disparity between college retention and graduation rates between low-income and high-income students, how does the Administration plan to incorporate into its retention strategy, longstanding programs like TRIO, which successfully equip students with the academic, social, and cultural skills needed to thrive in institutions of higher education?

2. The budget requests \$20 million in loan subsidies to guarantee up to \$178 million in loans under the Historically Black Colleges and Universities Capital Financing Program. To what extent will this meet the demand for such loans? Are there institutions in the pipeline with projects waiting to be financed? How many institutions do you anticipate will obtain loans in 2010?

3. There seems to be varying views on the definition of a “quality” teacher and whether this translates to being an “effective” teacher. What are some of your and the Department's ideas on addressing this concern and ensuring that classrooms are not filled with paper teachers (teachers that are qualified on paper because of an advanced degree or etc.) who are not effective and can't engage our youth in ways that are both beneficial and conducive to their learning?

4. Currently, Title I regulations do not provide specific graduation rate goals or growth targets. I have introduced legislation, the Every Student Counts Act, to address the dropout crisis that hasn't been fixed under the No Child Left Behind model. The Every Student Counts Act establishes an annual graduation rate goal of 90 percent and a growth target of 3 percent improvement annually and supports “growth models” of accountability by setting annual benchmarks based on a school's own starting point. Do you support this bill?

REPRESENTATIVE LYNN WOOLSEY (D—CA)

1. As you look at the Race to the Top funds and other programs that incentivize innovation, how is the Administration planning to work with states and school districts to make sure more girls and minorities are becoming interested in and doing well in math and science classes?

2. How do you envision the improvement of child care quality fitting into the proposed Early Learning Challenge Fund?

3. How can we work together to ensure that all forms of early childhood care and education are receiving access to the Early Learning Challenge funds and the assistance to improve quality for our nation's children?

4. Historically, the Department of Health and Human Services has had much of the jurisdiction over early childhood programs, particularly child care. How do you plan to work with the Department of Health and Human Services to improve the coordination and delivery of services to children under the age of five? Specifically, in light of the Early Learning Challenge Grants proposal, how do you plan to coordinate the development and implementation of this proposal with HHS?

REPRESENTATIVE CAROLYN MCCARTHY (D—NY)

1. What is going to be the new name for the No Child Left Behind Law?

2. Why does the department think it is a good idea to zero out the State grants for Safe and Drug Free Schools (SDFS) and transfer a portion of that funding to the national programs?

3. If the Department believes that the SDFS state grant program is indeed ineffective and the SDFS National Programs are considered effective, why would the Administration not transfer all of the \$295 million currently in the SDFS state grant budget to National Programs instead of creating a net reduction of \$184 million dollar for school safety?

4. We have seen funding drop from \$650 million for SDFS at the time of the Columbine shootings and to the current \$295 million over the past decade. Furthermore, we do not have accurate data on incidents that occur in schools and that the only national data we have on school violence comes from the surveys found in the indicators report. Without good information we cannot help schools that need it the most. That is why I have introduced the SAVE Act. What are the Department's long-term plans for keeping our students safe?

5. In March 2007, I sent the Department a letter (attached hereto) outlining my concerns that the Office of Safe and Drug Free Schools has not been collecting and does not possess data as required under ESEA Section 4141 which reauthorized the Gun Free Schools Act (GFSA). Specifically, States are required to report to the Secretary a description of circumstances surrounding any expulsions including the name of the school concerned, the number of students expelled, and the type of firearms involved. We have an obligation to keep America's schools gun free. The goal of this measure was to remove firearms from all public schools in the United States by requiring schools districts receiving federal funds to adopt a gun-free school policy and expel for one year students who carry a gun to school. As lawmakers and concerned parents, in order to know whether the goals of the law are being met it is critical to have accurate and available data collected as required by the law. In November 2007, eight months after my letter was sent, I received a response from the Department (attached hereto). It said, in part, "We acknowledge that a series of school shootings that have occurred during the past decade have heightened the public's concern about school safety and the presence of firearms and other weapons in schools. Based on the changing climate since the Department's initial implementation of GFSA reporting requirements, our review of the GFSA and your request, we will initiate the steps necessary to begin to collect information from States about the names of schools where a student was found to have brought a firearm from school." Can you please advise the status of these steps? Is the Department collecting this information? If yes, where might I find the information?

6. As you know, two middle school students—Carl Walker-Hoover of Springfield, MA and Jaheem Harrera of DeKalb County, GA—committed suicide within the past month and a half because of anti-gay bullying and harassment. What steps is the Education Department taking to provide states, local districts and schools with the guidance and resources they need to prevent this type of bullying and harassment, and to intervene when it occurs?

7. Mr. Secretary, I am concerned that Administration's budget eliminates funding for a program that has produced tremendous results for New York teachers, Ready To Teach. Ready to Teach funds VITAL, an initiative spearheaded by my local public television station, Thirteen/WNET, that leverages public television's high-quality educational programming to create standards-aligned digital content for classroom use. Will you work with me to continue this successful partnership with public television stations and to increase their capacity to serve students and teachers nationwide?

8. Would the Administration consider allocating a portion of the "\$2.5 billion for a new five-year Access and Completion Incentive Fund to support innovative state efforts to help low-income students succeed and complete their college education," to expand existing and successful TRIO and Project GRAD programs so that we can expand programs that actually work while at the same time seeking out innovative programs?

REPRESENTATIVE RUSH HOLT (D-NJ)

1. Under the ARRA you have a \$4.35 billion Race to the Top Fund, what plans do you have to use that fund to improve STEM and foreign language education?

2. While science is being tested, only reading and mathematics assessments are currently counted in AYP. What are your views on the inclusion of science in AYP?

3. Given your statement that "science education is central to our broad effort to restore American leadership in Education worldwide" will you work to increase funding for the Mathematics and Science partnerships program and restore it to its pre NCLB funding levels?

4. The reauthorization of the Higher Education Act established a Deputy Assistant Secretary for International and Foreign Language Education, will you elevate this to a full Assistant Secretary position under the authority you have?

5. What plans do you have to improve foreign language instruction in elementary schools, and what foreign language reforms would you want to see included in ESEA reauthorization?

REPRESENTATIVE SUSAN DAVIS (D-CA)

1. Please share some specifics on what performance-based rewards will look like through the Teacher Incentive Fund.

2. What are some of the obstacles to implementing performance-based rewards and how does the Department plan to overcome these obstacles?

3. How will the performance pay rewards interact with No Child Left Behind and its requirements, such as Adequate Yearly Progress and Highly Qualified Teachers?

4. What opportunities do you see to build a new structure for successful principals and strong school leadership under the Obama Administration?

5. What will the new National Teacher Recruitment program look like and how will it bring new, quality teachers to the profession?

6. How important is the issue of tuition refunds and loan forgiveness for service members who are activated to the Department?

7. How is the Department addressing the unique needs of service members and military veterans attending college? What tools do you need from Congress to better meet these needs?

8. Given that programs such as ED's Mentoring Programs are making progress toward closing the gap of 15 million children without a mentor and connecting young people with a solid role model, what can we do to improve the program—perhaps through a more rigorous RFP process or other means—rather than end it as recommended by the President's Budget?

9. What type of research has been done to measure some of the other potentially positive effects of ED's Mentoring Programs, such as the happiness and confidence that can come from a healthy relationship with a responsible adult?

REPRESENTATIVE RAUL GRIJALVA (D-AZ)

1. Given that Latino students are a significant and rapidly growing segment of the student population, are there plans to make a stronger effort to appoint Latinos and Latinas to positions in the Department of Education?

2. After seeing the Recovery Act and the President's FY10 budget, the Hispanic community has been concerned that the new administration has not prioritized English language learners, or the Latino student population. How does the President's education agenda specifically plan on addressing the needs of Latino and ELL students?

3. The President's budget proposed to eliminate the Even Start Family Literacy program. If funding for this program is eliminated, this will effect 59,000 parents and children struggling with illiteracy and poverty, more than half (53%) of whom are Latino. How will the President's education agenda ensure that families, particularly Latino families who have low-literacy levels, have access to essential services, like those provided by the Even Start program (GED, ESL classes for adults and early learning programs for young children)?

4. The President has proposed State Early Learning Challenge Grants to improve the quality of early care and education systems, as a major part of his education platform. Less than half, or 43%, of Hispanic children ages zero-to-three attend a center-based early care and education (ECE) program, compared to 66% of Black children and 59% of White children. How will these grants be structured to ensure that 1) Latino students have more access to these programs, and 2) be designed to meet the unique needs of young English language learners and their families?

5. Latinos are the fastest-growing segment of the U.S. student population and represent the future of the U.S. workforce. The passage of the "DREAM Act" will increase educational attainment among Latinos in the United States, affording them adequate preparation for work. In turn, the nation's economy will thrive. Is the "DREAM Act" an immediate priority for the new administration?

6. Farmworker migrant and seasonal worker students are some of the most disadvantaged and at-risk students in the country. They have one of the highest dropout rates and encounter tremendous obstacles in completing high school and pursuing higher education. The High School Equivalency (HEP) /College Assistance Migrant Program (CAMP) have been successful in helping to close the access and completion gaps for many low-income, minority farmworker migrant and seasonal worker students. After years of level funding and the loss of 20 HEP/CAMP programs

since 2004, I was pleased that the President proposes a \$2.5 million increase for the HEP/CAMP program from \$34.16 million in FY 2009 to \$36.61 million for FY 2010. The Higher Education Opportunity Act (HEOA) recognized the importance of the HEP/CAMP program by increasing its authorization level \$75 million. Can we expect the Administration's continued support of the HEP/CAMP program in the form of increased funding proposals in the future?

7. The President has also proposed a drop-out prevention initiative that promises innovation and targets those schools with the highest drop-out rates. How is this initiative different from the Bush Administration's drop-out prevention initiative under NCLB? What role will community-based organizations have in this initiative?

8. No plan to address the high school dropout crisis will be effective without an adequate middle grade intervention to aid the most troubled feeder middle schools and elementary schools of the most troubled high schools. In what way will the high school reform proposals include the middle grades?

9. I am concerned about the problem of bullying faced by students, including lesbian, gay, bisexual and transgender students in the country. What action is the Department of Education taking to address bullying in the nation's schools?

REPRESENTATIVE MAZIE HIRONO (D-HI)

1. According to 2006 data, there are three dropout factories in my district and five total in the state of Hawaii. I share your concern about low performing schools and want to know how best to help them. I recognize that dropout factories are not just a high school problem, as there are other factors in the elementary and middle school years affecting what happens to students in high school. When states submit applications for ARRA grants, including for State Fiscal Stabilization Funds and Race to the Top funds, how does the Department of Education plan to evaluate state applications with respect to dropout factories? How specific will your actions be in pushing states to address the problem of dropout factories?

2. There are critical times in a child's development when positive intervention makes a real difference. We know that one of these times where resources matter is the preschool years. I have a bill, the PRE-K Act (H.R. 702) that would create a grant program to support states' efforts in providing high quality early education. What, in your view, are the other critical years when attention and resources would make a difference? Do the President's programmatic and funding requests reflect this approach of investing in the critical points in a child's development?

REPRESENTATIVE JASON ALTMIRE (D-PA)

1. In the U.S. Department of Education Budget Highlights, there is a focus on college completion which supports "\$2.5 billion for a new five-year Access and Completion Incentive Fund to support innovative state efforts to help low-income students succeed and complete their college education." As you are aware, there are presently in place TRIO programs that are designed to help low-income students succeed and complete their college education. These programs do a great job at accomplishing these goals—but the programs are severely underfunded. Would the Administration consider allocating a portion of this \$2.5 billion to expand existing and very successful TRIO programs so that we can expand programs that actually work while at the same time seeking out new and innovative programs?

2. One issue that arises from the President's budget proposal is that currently foreign schools are only eligible for the FFEL Program. Will the President's legislative proposal will ensure that foreign schools also be made eligible for the Direct Loan Program and that appropriate steps are taken to ensure that they are able to participate on behalf of their American students?

REPRESENTATIVE PHIL HARE (D-IL)

1. In the Administration's education budget proposal, there seems to be a policy shift away from formula grants (cuts to Title I, Part A and Education Technology and the elimination of Safe and Drug Free Schools State grants) to competitive grants (new Title I Early Childhood Grants, the High School Graduation Initiative, new monies for national programs under Safe and Drug Free Schools). I am afraid that this shift will represent a loss of funding to rural school districts that do not have the resources to apply for competitive grants. What steps is your department going to take to ensure that rural school districts are equitably funded, especially under the President's new proposals?

2. As a policy, Congress targets dollars under Title I to concentrations of poverty under the argument that it is harder to serve large groups of poor students. However, under the Title I funding formula, we define concentrations of poverty as percentages or numbers, whichever is higher. This results in larger less- poor school

districts getting more money per poor child than a smaller, higher-poverty school districts. What recommendations would you make to instill a greater sense of equity when funding children in poverty?

3. Mr. Secretary, soon I will reintroduce the Positive Behavior for Effective Schools Act, which opens up federal resources to school districts that want to establish or expand the use of PBIS (Positive Behavior Interventions and Supports) and provides teachers with training to effectively manage classrooms using PBIS strategies. As you may know, President Obama introduced this same bill in the Senate. Do you support this legislation and if so, is the administration committed to making this a priority?

REPRESENTATIVE JOE COURTNEY (D-CT)

1. Does ARRA require states to adopt their 2010 budgets before becoming eligible to receive funding?

2. In your testimony you stated that states that show progress in meeting the goals (“the four pillars”) of the SFSF will be able to qualify for the Race to the Top funding. Is it correct to assume that states who are dilatory in applying for SFSF and demonstrating compliance with SFSF’s goals will suffer in the competitive grant process set forth in Race to the Top?

3. Can SFSF be used to supplant state fiscal year 2009 expenditures within the state budget?

4. Is there a way a state can account for state fiscal stabilization funds as non-federal funds? If so, how can a state apply for permission to do that? It appears that this is possible under section 14012 (d) of the ARRA.

5. Does the ARRA allow use of state fiscal stabilization funds to supplant current education expenditures at the local level to achieve the Maintenance of Effort for additional Title I and IDEA funds? If so, how can localities apply for permission to do so?

REPRESENTATIVE JARED POLIS (D-CO)

1. Both you and the president have repeatedly called for federal investment in innovative programs with a proven track record of helping schools meet high standards and close the achievement gap. President Obama has called on states to lift caps on charter schools and reform their charter school rules so that excellent charter schools can be replicated. The President’s budget includes a 24% increase for Charter School Grants, which is an important first step towards fulfilling his pledge to double funding for this program. However, the program’s focus is on new schools rather than scaling up existing successful models to serve more students. What role will the replication and expansion of high-quality charter schools play in the Administrations’ education reform agenda, and how do you envision such an investment taking place both prior to and as a part of No Child Left Behind reauthorization?

2. Under the Recovery Act, charter schools in some states are facing difficulties accessing the new funding. However, the Administration has made it clear that the fair and equal treatment of charter schools, which I am assuming is the case both with the recovery funds and other federal funding, will be a critical component of future ARRA funding. Could you discuss this issue—the role of how charters are treated under ARRA—in more detail? Will the Department hold states accountable for their treatment of charter schools during the second round of State Fiscal Stabilization Funding and the Race to the Top funds? How about federal funding in general in the long term longer?

3. Mr. Secretary, in April the nation grappled with the horrific suicides of two 11-year-old children, Carl Joseph Walker-Hoover in Massachusetts and Jaheem Herrera in Georgia both of whom had been relentlessly bullied and teased with anti-gay epithets. These deaths were needless and devastating to their families, friends and communities. This year, on the National Day of Silence you stated that “we must all acknowledge our collective role and responsibility in preventing student deaths and ensuring that our schools remain safe havens of learning.” What action is the Department of Education taking to combat bullying and promote tolerance in our nation’s schools?

4. As the founder and superintendent of a charter school serving immigrant youth, I have seen firsthand how we waste talent and potential in this country by denying high school graduates the opportunity to pursue a college education because of their immigration status. These kids have been raised and educated in this country and are as American as anyone else, but for too long they have had their dreams shattered by an education system that ignores their good grades and hard work. Educational opportunity is a right, not a privilege, and access to higher education is the key for both individual success and our nation’s economic growth and pros-

perity. Some try to describe the American DREAM Act as immigration policy, but I strongly believe that it's fundamentally an issue of educational opportunity. President Obama was a co-sponsor of this legislation both as a State and an U.S. Senator and during a visit to a school in my district a year ago he reiterated his support. Can you please share with us your views on this critical issue?

5. According to the Census Bureau estimates, nearly 1 in 5 adults in the U.S. speaks a language other than English at home, and more than 17 million speak English less than "very well." While demand for English language instruction has dramatically increased, federal funding for English Speakers of Other Languages (ESOL) programs has actually declined. A recent survey among 176 ESOL providers showed that 57.4 percent maintained waiting lists, ranging from a few weeks to more than 3 years. Given the increased demand for adult ESOL programs, and the current economic crisis, an investment in adult education is needed now more than ever. What efforts will the Administration take to help address these issues, and help build and maintain a robust adult education, language, and literacy system in the U.S.?

REPRESENTATIVE DINA TITUS (D-NV)

1. In Nevada, we have a serious problem with high school completion. In 2006, the Department of Education reported a graduation rate for Nevada of 56%, and others have put the city of Las Vegas at an even lower rate of 44%—both far below the national average of about 75%. In my Congressional District there were 4 drop-out factories and 5 with graduation rates lower than 70%. Nevada has been particularly hard-hit by the economic downturn and is facing unemployment rates that are the highest they have been in 25 years, so the low graduation rates are even more disturbing since we know that students without a high school diploma will find it difficult to find jobs and will earn less when they do. I know you are concerned about this issue. I was heartened by your comments this morning, encouraged by the increases in your and the President's budget, and intrigued by the recent accounts of your conversation with students themselves about why they drop out. You said in a recent interview, "I think we know many of the answers." Your 2010 budget request includes a \$1 billion increase for Title I School Improvement Grants. The budget summary states, "This request reflects the Administration's determination to take immediate action to begin addressing the factors that contribute to the high school dropout crisis in American education." You started to give us some details earlier and were cut off, so I'd ask you to please continue and elaborate on the details of how the School Improvement Grants will help improve our nation's and my state's graduation rates?

REPRESENTATIVE HOWARD P "BUCK MCKEON" (R-CA)

1. I'm aware that the Department has decided to revise the Title I regulation issued in 2002 to allow those school districts in need of improvement to serve as eligible providers of Supplemental Educational Services (SES). The last Administration implemented a pilot program allowing a number of districts to offer SES in conjunction with implementing parental notification and awareness provisions. Are these parental options going to be part of your changes to the districts in need of improvement regulation? And, if not, what protections are you going to put in place to ensure that students are not forced into district programs? And what recommendations would you make so that all providers have equal access to collecting and disseminating information to ensure maximum parental choice?

2. One of the keys to successful implementation of the supplemental educational services provision is communicating to parents the availability of these services in ways that are easily understandable. Can you detail how some districts, including your experience in Chicago, have made strides in getting the word out to parents about the availability of both the district-sponsored service and the service of other providers?

3. I am aware that the Department has notified States and school districts that it will entertain requests for waivers to certain SES provisions included in Title I of the Elementary and Secondary Education Act (ESEA), under the American Recovery and Reinvestment Act. What criteria are you basing those waivers on? And would you consider granting a waiver for SES in districts where there are more kids eligible for SES than could be funded under the 20 percent set-aside?

4. I know that you have talked a lot about innovation and granting States additional flexibility in how they implement several provisions under ESEA. To this end, has the Department worked with States and local educational agencies to encourage them to submit performance agreements under the State and Local Flexibility Demonstration Programs? Also, would you support proposals to increase the percentage

of funds that States and local school districts could transfer under the law's transferability option?

5. As you know, one of the most common challenges that local school districts have had when trying to help schools that are in need of improvement is that local collective bargaining agreements restrict the assignment of more experienced teachers, the expeditious dismissal of teachers who cannot demonstrate effectiveness, and reconstitution of school staff. How should Federal law tackle this problem? Should we repeal or make exceptions to the collective bargaining language included in ESEA?

6. Do you support alternate routes to teacher certification that maintain high standards for subject matter knowledge but remove many of the hoops and hurdles that I believe keep many promising individuals out of teaching?

7. In your opinion, do you think that teacher colleges of education are doing an adequate job of preparing teachers for the realities of today's classroom—diverse population, special needs students, and content standards set by ESEA? If not, what are your suggestions for improving pre-service training for our nation's teachers?

8. Recent research, including research from former President Clinton chief-of-staff John Podesta's organization, has shown that student achievement goes up when principals have the freedom to reward good teachers. On the other hand, research has also shown that additional credentials, including National Board certification, bears little to no relationship to improved student performance. So, rather than giving each National Board-certified teacher \$10,000 as some proposals would do, wouldn't it be wiser to invest that money in incentive pay structures that have a track record of success?

9. I've seen a quote from you many times, including recently in Time Magazine, when you stated that, "What NCLB did was, they were very loose on the goals—50 states could create their own goals and 50 different goalposts, and [what] that led to was a real dumbing down of those goals. What they're very tight on is how you get there. I think what we need to do is fundamentally reverse that—I think we need to be really tight on goals and have these common college-ready international benchmark standards that we're all aiming for, but then be much looser in how you let folks get there." What do you mean by being "looser on how you let folks get there"? Does that mean delaying State accountability or pushing off the timeline? How do your comments compare to the fact that local educational agencies have a significant amount of flexibility into what interventions they implement for their failing schools once they are identified as needing corrective action or restructuring? Also, if you believe that State standards in reading and math are too low and that States need to implement common standards that are high standards, how are you going to address the complaints that we have heard from States that it was too hard to get all kids on grade level to what you call "dumbed down goals"?

10. I've heard that there has been some discussion at the Department that the 2014 timeline will be "dealt with" in the Race to the Top application, with the implication that if States agree to raise their standards, the Department will give them additional time on accountability beyond the 2014 deadline. Can you elaborate on this point? And if so, under what authority would you do this?

11. In your testimony, you mentioned that all staff, including janitors and lunch attendants, in a school should receive awards under the proposed performance pay system. Is there any scientific research available that demonstrates that including these other staff members in the performance pay system will help increase student achievement?

12. The Administration's budget includes a new Striving Readers program that will provide competitive grants to local educational agencies targeted toward helping students in elementary schools learn to read. In the development of this plan and the planning application process, will school districts be required to ensure that their programs include instruction in phonemic awareness? Will they be required to ensure that the programs include instruction in phonics?

13. Does the Administration have any plans to make changes to the 1% or the 2% rules, which allow States to hold students with disabilities to alternative or modified achievement standards under ESEA?

14. It is a known fact that IDEA is underfunded at the Federal level. By Congress not meeting its commitment to fully fund 40 percent of the national average per pupil expenditure, local districts have picked up the cost burden. When Congress passed IDEA in 2004, we hoped that one day we would meet our commitment to fully fund special education and knew we needed to give local school districts some flexibility to reclaim their local dollars they have been using to cover the shortfall. Therefore, we included language in the law that districts would be allowed to reclaim their local dollars in an amount equal to 50 percent of their Federal increase, provided they use those dollars for educational purposes. The funding included in

the American Recovery and Reinvestment Act or ARRA is one of the first real opportunities for school districts to utilize this flexibility. However, it has come to my attention that the Office of Special Education Programs is taking a restrictive view and denying the ability of school districts to use this flexibility. When we passed IDEA in 2004, we included report language that said States had to “meet an exceptionally high standard to prevent local education agencies from exercising local control.” What basis is the Department using to deny the use of this flexibility to thousands of school districts?

15. I committed to helping families and individuals with disabilities have the opportunity to lead fulfilling, productive lives. Like you, I realize the importance of fully funding the Individuals with Disabilities Education Act (IDEA) and improving special education, related services for children with disabilities. We also agree on the importance of accountability for the academic achievement of these children through the No Child Left Behind Act. As the 2010 reauthorization of IDEA looms, what are your ideas to provide greater access to the general education curriculum, increased inclusion in the general education classroom and improved postsecondary education and other transition opportunities for all children with disabilities, including those with intellectual disabilities?

16. You said you’d like to set a goal to turn around 1,000 low-performing schools a year for each of the next five years. While this goal is admirable, how can a local educational agency that wants to close low-performing schools and re-open them with new principals and teachers do that in light of collective bargaining agreements and other regulations in place?

17. President Obama has called charter schools “one of the places where innovation occurs” and he has called on States to lift caps on the number of charter schools. In your testimony before the Committee, you stated that the Department would ask States to detail whether they had charter school caps in place in their Race to the Top applications. Will the Department provide those States that do not have charter school caps with a priority in accessing funding under the new program?

18. For the current school year (2008-2009), how many States are in compliance with the Highly Qualified Teacher (HQT) definition under ESEA? What impact has the HQT definition had on recruiting high quality teachers around the country, including recruiting special education teachers? What impact has the HQT definition had on the ability of public charter schools to recruit teachers? What impact has the HQT definition had on alternative certification programs?

19. Does the Administration support Adjunct Teacher Corps programs, including the new program authorized under the Higher Education Opportunity Act?

20. The budget proposes major changes to the Perkins loan program, transforming it into a tool to encourage colleges to control costs. It reminds me of a proposal I offered several years ago to use the campus-based aid programs—including Perkins—to achieve that same goal of holding down costs. Unfortunately, my plan was rejected by the higher education community. I hope you have better luck than I did, and to that end, I have two specific questions. First, will all sectors—including proprietary—be eligible for this program? And second, can you share some specifics about how this will work, how you think it will bring costs down, and what other plans you may have to get colleges to control their costs?

21. In the President’s 2010 budget proposal, there is a great deal of emphasis placed on early childhood programs, including new programs that would be implemented by the Department of Education. As you know, the Federal government already has a number of different early childhood programs (69 identified by a 2001 GAO report), the largest of which are based at the Department of Health and Human Services. I am concerned that, by creating additional and separate Federal early childhood programs, we would simply be adding to an already fragmented system of early childhood assistance at the Federal level. Would the new programs at the Department of Education take the place of any of the existing Federal programs?

22. Would the new early childhood education programs proposed in the President’s budget be required to work within the existing Head Start standards, updated in the reauthorization bill that passed last Congress? Will these new programs be targeted towards low-income kids or will all students qualify, including students from wealthy families?

23. According to the Administration’s 2010 budget, the proposed Early Learning Challenge Fund would provide competitive grants to State educational agencies in order for those agencies to establish pathways to high quality early childhood education. We have yet to see a legislative proposal for this proposed Fund, but some of the activities seem to duplicate those being conducted by State Advisory Councils on Early Childhood Education and Care that were authorized under the Head Start

Act. How do these two proposals differ? And if they are different, how does the Department propose to increase coordination between HHS?

24. The Administration's proposal would seem to funnel an overwhelming majority of its early childhood education funding through local educational agencies, some of which are deemed at failure of meeting State standards in reading and math under the Elementary and Secondary Education Act. Will schools that currently fail to meet Adequate Yearly Progress (AYP) be considered as eligible entities to provide early childhood education?

25. Early childhood education has historically been a private endeavor. Would the Administration's new early childhood proposals allow the private industry, including community-based providers, to maintain their role in State provided early childhood education?

REPRESENTATIVE THOMAS PETRI (R-WI)

1. A recent investigation by the New America Foundation found that Nelnet, in its November 2006 response to the Inspector General's audit of Nelnet, cited three program reviews of other 9.5 claimants as justification for not reimbursing its own illegal claims. In 2007, Secretary Spellings and Undersecretary Sara Martinez Tucker cited the Nelnet response in making a decision to allow Nelnet to keep its illegal claims. Now, however, the program reviews have been discredited by the IG in the April 2009 audit of Federal Student Aid. Have you asked the Attorney General to review the Nelnet settlement?

2. Have any other 9.5 claimants made reimbursements? Please provide me with an update of all 9.5 payments, reimbursements, and any other 9.5 transactions for federal fiscal years 2006, 2007, and 2008.

3. The IG's new, April 2009 audit describes how FSA/Financial Partners' program reviews were mishandled in that they were not reviewed by the Department's Office of General Counsel. A Kentucky 2006 9.5 program review, however, cites a "legal opinion provided" but apparently it is from a source other than the Department. Would you please provide a copy of the legal opinion cited in that program review?

REPRESENTATIVE MARK SOUDER (R-IN)

1. How does the Administration plan to stem the need for drug treatment in the future by eliminating prevention efforts such as the State Grants portion of the Safe and Drug Free Schools and Communities (SDFSC) program, one of the only prevention programs that exist in the federal government? Such cuts would decimate the school-based prevention infrastructures currently in place, leave the vast majority of our nation's schools and students with no drug and violence prevention programming at all, and provide large grants to a very small number of recipients that would not be sustainable over time. What do you plan to do to correct this?

2. I have heard that the Administration is committed to streamlining the FAFSA, a priority that I strongly endorse. As you know, the FAFSA currently contains a question about convictions for prior drug offenses, which is used to enforce the drug-free student loan law enacted by Congress with bipartisan support in 1998 [HEA Section 484(r)]. The purpose of this law is to act as a deterrent, so that when pressured to use drugs, college students can respond that they don't want to lose their student loans. Although even drug legalization groups have admitted that the question is the "only obvious mechanism for enforcing [the law]", in the past, there have been efforts to remove this question from the FAFSA, which would effectively kill the statute by drastically reducing awareness and significantly weakening its ability to deter drug use. Is the administration committed to maintaining the drug question on the FAFSA and continuing to enforce the drug-free student loan law?

REPRESENTATIVE VERNON EHLERS (R-MI)

1. According to OSTP (the Office of Science and Technology Policy), STEM education funding at the U.S. Department of Education is \$87 million (or 10 percent) less than fiscal year 2009 in the President's budget request. I am confused about the conflicting messages from the Obama Administration on support for STEM education and the America COMPETES Act, particularly at the K-12 levels. Why the discrepancy between the message and the fiscal year 2010 budget request?

2. President Obama has recognized the need to improve our students' readiness for the jobs of the future. However, the U.S. Department of Education's fiscal year 2010 budget requests level funding for the Math & Science Partnerships program. For years, Representatives Holt and I have fought to increase funding for this valuable teacher professional development program at the Department of Education. I find it very disheartening that the President's budget does not request adequate resources for this program. Please comment on how, under the President's proposal,

current teachers will be equipped with the math and science skills needed to help our nation's future workers succeed.

3. President Obama's budget requests funds to "support activities to strengthen States' content and achievement standards and assessments, such as activities to develop college- and career-ready standards and assessments". As you may be aware, I strongly support voluntary, national math and science education content standards. In June, I plan to reintroduce the Standards to Provide Educational Achievement for Kids (SPEAK) Act, which provides financial incentives to states to adopt world-class, national math and science standards. Please comment on the President's proposal related to standards.

4. Please elaborate on how the Race to the Top Funds will be distributed, and whether they will address specific subjects.

5. Under the Higher Education Opportunity Act, you are required to convene a summit of higher education experts that work in the area of sustainable operations to develop and refine sustainability practices and innovation. I know that many in the sustainability community are anxious for this summit to take place, and the law requires it to take place by the end of fiscal year 2010. I would like to know what steps your Department has taken to date to prepare for this summit. (Text attached).

SEC. 1120. SUMMIT ON SUSTAINABILITY.

Not later than September 30, 2010, the Secretary of Education, in consultation with the Administrator of the Environmental Protection Agency, shall convene a summit of higher education experts working in the area of sustainable operations and programs, representatives from agencies of the Federal Government, and business and industry leaders to focus on efforts of national distinction that—

(1) encourage faculty, staff, and students at institutions of higher education to establish administrative and academic sustainability programs on campus;

(2) enhance research by faculty and students at institutions of higher education in sustainability practices and innovations that assist and improve sustainability;

(3) encourage institutions of higher education to work with community partners from the business, government, and nonprofit sectors to design and implement sustainability programs for application in the community and workplace;

(4) identify opportunities for partnerships involving institutions of higher education and the Federal Government to expand sustainable operations and academic programs focused on environmental and economic sustainability; and

(5) charge the summit participants or steering committee to submit a set of recommendations for addressing sustainability through institutions of higher education.

6. Under the Higher Education Opportunity Act, you are required to enter into an agreement with the National Research Council to conduct an evaluation of distance education programs. The interim report is due next month. Please update me on this report's progress. (Text attached).

SEC. 1107. INDEPENDENT EVALUATION OF DISTANCE EDUCATION PROGRAMS.

(a) INDEPENDENT EVALUATION.—The Secretary of Education shall enter into an agreement with the National Research Council of the National Academy of Sciences to conduct a statistically valid evaluation of the quality of distance education programs, as compared to campus-based education programs, at institutions of higher education. Such evaluation shall include—

(1) identification of the elements by which the quality of distance education can be assessed, which may include elements such as subject matter, interactivity, and student outcomes;

(2) identification of distance education program success, with respect to student achievement, in relation to the mission of the institution of higher education;

(3) identification of the benefits and limitations of distance education programs and campus-based programs for different students (including classification of types of students by age category) by assessing access, job placement rates, graduation rates, and other factors related to persistence, completion, and cost; and

(4) identification and analysis of factors that may make direct comparisons of distance education programs and campus based education programs difficult.

(b) SCOPE.—The National Research Council shall select for participation in the evaluation under subsection (a) a diverse group of institutions of higher education with respect to size, mission, and geographic distribution.

(c) INTERIM AND FINAL REPORTS.—The contract under subsection (a) shall require that the National Research Council submit to the authorizing committees—

- (1) an interim report regarding the evaluation under subsection (a) not later than June 30, 2009; and
- (2) a final report regarding such evaluation not later than June 30, 2010.

REPRESENTATIVE JUDY BIGGERT (R-IL)

1. As you know, the College Cost Reduction and Access Act of 2007 included some important provisions to simplify the FAFSA form and ensure that homeless youth can access educational assistance. However, I have some concerns with the way this bill has been implemented. The statute requires that youth be considered independent if they are homeless or are self-supporting and at risk of homelessness. This status must be verified by one of four specified authorities. However, questions 58-60 on the 2009-2010 FAFSA address homeless youth, and none of these questions include the possibility that a financial aid administrator may be a certifying authority, as specified in statute. In addition, questions 58 and 59 do not address the possibility that students who are self-supporting and at risk of homelessness can qualify as independent. I was wondering what your office was doing to rectify these issues to ensure that all college applicants have equal access to federal financial aid?

2. According to the notes for questions 58-60 on the FAFSA, a "youth" is defined as one who is "21 years of age or younger or still enrolled in high school as of the day they sign this application." However, the overall age to qualify as an independent is at least 23. Those individuals who are too old to qualify as a "youth" but are not yet independent by age do not qualify for aid if they are homeless or at risk of homelessness. Would you consider amending the definition of "youth" on next year's FAFSA so that all homeless students born after January 1, 1987 can qualify for financial aid?

REPRESENTATIVE TODD PLATTS (R-PA)

1. I am a co-chair of the Congressional Arts Caucus and through the Caucus we promote the advancement of music and arts education. As you know, students with an education rich in the arts have been proven to achieve better grade point averages in core academic subjects, score better on standardized tests, and have lower drop-out rates than students without arts education. Even though art is a core curriculum subject, many schools across the nation have eliminated their programs. As you develop proposals to reauthorize the Elementary and Secondary Education Act, how do you plan to ensure that schools continue to offer music and art classes?

2. A recent GAO Report (Access to Arts Education: Inclusion of Additional Questions in Education's Planned Research Would Help Explain Why Instruction Time Has Decreased for Some Students, Feb. 27, 2009) found that teachers at schools identified as needing improvement and those with higher percentages of minority students were more likely to report a reduction in instructional time spent on arts education. Because of this finding, GAO recommended to the U.S. Department of Education that when carrying out its planned study on the impact of No Child Left Behind, questions be included regarding changes in arts instructional time and the causes of these changes. Do you plan to follow through on this recommendation?

3. When will the other Assistant Secretaries be coming on board?

4. What will the Administration's top three priorities be for ESEA reauthorization?

REPRESENTATIVE JOE WILSON (R-SC)

1. Will student debt increase for borrowers of Perkins Loans due to the accrual of interest from the origination of the loan as opposed to current policy when the student graduates?

2. Congress has specifically mandated through law that certain "high-need" professions are eligible for loan cancellation under the currently structured Perkins Loan program. Eligible individuals can apply for up to \$5000 of their Perkins Loan to be canceled in exchange for 5 years of public service. The Obama Administration is proposing to switch that to total loan forgiveness for 10 years of service AND 10 years of repayment. Do you have data that shows if it costs students more, the federal government more, or both to make that change?

REPRESENTATIVE TOM PRICE (R-GA)

1. Some states and local education agencies have passed legislation or signed contracts that prevent teacher compensation systems from taking student performance into account. Under the Teacher Incentive Fund, does the Administration believe student achievement should be taken into account when designing performance-

based compensation systems? Will these states and LEAs that do not include student performance as a factor be ineligible for Teacher Incentive Fund grants?

2. Recently, Randi Weingarten, President of the American Federation of Teachers (AFT), said that Federally-financed performance-based compensation grants be collectively bargained as part of the contracts. Will the Administration mandate such a requirement under the Teacher Incentive Fund? What about in non-bargaining states—will it apply?

REPRESENTATIVE BRETT GUTHRIE (R-KY)

1. I have heard a lot from the teachers in Kentucky about a program called Best in Class that was implemented by our non-profit State agency, the Kentucky Higher Education Assistance Authority (KHEAA). Through this program, any student who went into teaching was promised 100 percent forgiveness of their student loans over five years. This program is clearly more generous than the federal loan forgiveness programs. The agency had to stop offering this program due to the recent cuts to lender subsidies, but is eager to find an alternative method of financing loans that will provide them with the ability to restart this program. What options are available to KHEAA to assist them in fulfilling their promised obligations to these new teachers?

2. I have been pleased to hear that the Secretary asserts that there will be an effort to continue working with state-based non-profit organizations. These organizations, such as the Kentucky Higher Education Assistance Authority (KHEAA), which serves my district, make valuable contributions to college access and financial literacy efforts across the country. I am concerned that KHEAA and other similar non-profit organizations will not be able to participate in servicing of loans originated under the Administration's direct loan proposal due to their smaller size and capacity. Should the plan be passed into law, does the Administration's proposal include an explicit role for smaller non-profits in servicing direct loan originated loans?

REPRESENTATIVE BILL CASSIDY (R-LA)

1. Mr. Secretary, I know I was not in Congress when the original DC Opportunity Scholarship Program passed and the study was implemented, but in reviewing the text of the legislation and the most recent study, I am struck by the design. It appears that the Institute for Education Sciences (IES) studied the impact on achievement for those who were offered a scholarship rather than those who actually used the scholarship. Yet, the legislation clearly asks for comparisons between those students who are participating in the program and those that sought to participate and are not. This should have led to an evaluation that compared students using scholarships to those that are not, instead of mixed comparison groups with weakened results. However, given the dilution of the sample, we still have seen that students attending private schools have shown greater academic achievement. Wouldn't it be prudent to continue the program and conduct a study that actually compares students who use scholarships to those in the DC public schools to determine achievement effects?

2. In reviewing the past few years of the study, you can see steady growth in reading scores for students who have participated in the program to the point where we have the equivalent of more than three months of additional instruction for students using a scholarship over those who did not. You have seen that each year students also did better in math, but not at the statistically significant level. Given that each year we have seen gains in achievement for students using a scholarship over students in DC Public Schools, why wouldn't you want to capitalize on those gains and scale up the program? It seems logical to continue working to improve the traditional public schools while opening up a lifeline of success to students so we do not have a lost generation of kids waiting for change to come to every school.

3. Mr. Secretary, I know you have been asked several times about your position on the DC Opportunity Scholarship Program. I believe your answer was that you wanted to work on reforms that help all kids. That is a noble goal that I and my colleagues agree with. However, I don't believe this is an "either/or" situation. The parent groups in DC have a motto, "put kids first." I see this as one more tough issue where ideology must be put aside so we can do what is right for kids. To that end, can you explain why you believe the right thing to do is to phase out a scholarship program that has shown success in achievement for those who use the scholarship and, if continued, would likely continue to show greater success? Why you believe the right thing to do is deny students the choice and chance to get a better education while the overall improvement process is underway? Why you believe that the right thing to do is get rid of a program that has been deemed successful by

the lead, independent researcher rather than scale up the program so more students can benefit?

4. Last week, the Senate held a hearing on the DC Opportunity Scholarship program. One of the witnesses, Ms. Latasha Bennet, the mother of a child currently receiving a scholarship and one who was promised a scholarship that was recently revoked, posed a question to you that I would like to ask for her today. She said, "I would like to ask Mr. Secretary Arne Duncan how is it that my child should not be given the same opportunity as his children to get the best education possible." How do you respond to Ms. Bennet, whose young daughter will not have the same opportunity as her older brother because of the decision to block new enrollees?

REPRESENTATIVE GLEN THOMPSON (R-PA)

1. The Administration has focused a lot of attention on immediate job training related to the current economic downturn. What is the Administration's plan for longer term career education and training to address the shortage in skilled labor the country will be facing as the baby boomer generation gets closer to retirement? We have known this has been coming for a while; what is going to be done?

2. I have read that you have recently been on the road and welcomed comment from rural schools and communities; I can say that representing a rural district just larger than the state of New Jersey, I appreciate your initiative. While you have only been in your position for a short period of time, can you provide me details on what initiatives your department is putting forth for rural education?

Please send an electronic version of your written response to the questions to the Committee by close of business on Wednesday June 3, 2009—the date on which the hearing record will close. If you have any questions, please do not hesitate to contact the Committee.

Sincerely,

GEORGE MILLER, *Chairman.*

December 10, 2009.

Hon. GEORGE MILLER, *Chairman,*
Committee on Education and Labor, U.S. House of Representatives, 2181 Rayburn House Office Building, Washington, DC 20515.

DEAR MR. CHAIRMAN: I am writing in response to your Committee's follow up questions from the May 20, 2009 hearing on "The Obama Administration's Education Agenda." Please see the enclosed document for the Department's responses to those questions.

If you have any issues or questions about our responses, please contact me at 202-401-0020.

Sincerely,

GABRIELLA GOMEZ, *Assistant Secretary,*
Office of Legislation and Congressional Affairs, U.S. Department of Education.

Rep. Biggert

1. As you know, the College Cost Reduction and Access Act of 2007 included some important provisions to simplify the FAFSA form and ensure that homeless youth can access educational assistance. However, I have some concerns with the way this bill has been implemented. The statute requires that youth be considered independent if they are homeless or are self-supporting and at risk of homelessness. This status must be verified by one of four specified authorities. However, questions 58-60 on the 2009-2010 FAFSA address homeless youth, and none of these questions include the possibility that a financial aid administrator may be a certifying authority, as specified in statute. In addition, questions 58 and 59 do not address the possibility that students who are self-supporting and at risk of homelessness can qualify as independent. I was wondering what your office was doing to rectify these issues to ensure that all college applicants have equal access to federal financial aid?

A: In our proposed 2010-2011 electronic FAFSA (FAFSA on the Web) we are seeking public comment and approval of a screening question for any applicant who had not yet been determined to be independent because of the applicant's response to one of the other independent criteria. The screening question will ask the applicant if he or she is homeless or at risk of being homeless. Since this is the last dependency question, a response of NO will result in the applicant being considered dependent and parental information will be required. If the response is YES, the next

direction will depend on whether the applicant is 21 years of age or younger or is older than 21.

For applicants 21 years of age or younger, if the applicant responds YES to the homelessness screening question, the three agency homelessness determination questions (Questions 58-60) will be presented. An applicant who responds YES to any of those three questions will be determined to be independent and no parental information will be requested. An applicant who responds NO to all three of the detail questions will be preliminarily considered to be a dependent student. However, the applicant will be instructed to contact the financial aid administrator (FAA) to see if a determination of homelessness can be made consistent with the law. Also, the electronic information sent to the school will be flagged so that the school can reach out to the applicant to resolve their status.

Because the three agency determination questions do not apply to applicants 22 or 23 years old because of their age, the three detail questions will not be presented to an older applicant who responds YES to the screening question. Such an applicant will be considered to be dependent. However, the applicant will be instructed to contact the financial aid administrator (FAA) to see if a determination of homelessness can be made consistent with the law. Also, the electronic information sent to the school will be flagged so that the school can reach out to the applicant to resolve their status.

2. According to the notes for questions 58-60 on the FAFSA, a “youth” is defined as one who is “21 years of age or younger or still enrolled in high school as of the day they sign this application.” However, the overall age to qualify as an independent is at least 23. Those individuals who are too old to qualify as a “youth” but are not yet independent by age do not qualify for aid if they are homeless or at risk of homelessness. Would you consider amending the definition of “youth” on next year’s FAFSA so that all homeless students born after January 1, 1987 can qualify for financial aid?

A: The age at which an applicant is automatically considered to be independent is 24. The definition of “youth” is based on the laws referenced in the Higher Education Opportunity Act (HEOA). With regard to the question of how a homeless (or at risk of being homeless) person who is 22 or 23 can be considered independent based upon that homelessness condition, we believe that the process described in response to the previous question will ensure that such applicants are considered for a determination of homelessness by the financial aid administrator.

Rep. Cassidy

1. Mr. Secretary, I know I was not in Congress when the original DC Opportunity Scholarship Program passed and the study was implemented, but in reviewing the text of the legislation and the most recent study I am struck by the design. It appears that the Institute for Education Sciences studied the impact on achievement for those who were offered a scholarship rather than those who actually used the scholarship. Yet, the legislation clearly asks for comparisons between those students who are participating in the program and those that sought to participate and are not. This should have led to an evaluation that compared students using scholarships with those that are not instead of mixed comparison groups with weakened results. However, given the dilution of the sample we still have seen that students attending private schools have shown greater academic achievement. Wouldn’t it be prudent to continue the program and conduct a study that actually compares students who use scholarships to those in the DC public schools to determine achievement effects?

A: The design of the OSP evaluation did take into account the certainty that not every student offered a scholarship actually uses it. IES has produced estimates of the impact of using a scholarship (i.e. participating in the program). These estimates appear side-by-side with the estimates of the impact of the offer of a scholarship in Chapter 3 of the recent report. For example, p. 41 (table 3-4) shows that the impact of the offer of a scholarship on reading achievement is equivalent to 3.11 months of schooling, while the impact of using a scholarship is equivalent to 3.68 months of schooling.

The OSP study design is identical to all other evaluations of voucher programs that have used random assignment. The lotteries that produce the random assignment are conducted when students apply to the program and are either offered (treatment group) or not offered (control group) a scholarship. Therefore, the first stage of analysis is to compare the outcomes of the two groups—which provides the estimate of the scholarship offer. We require those initial estimates in order to calculate the impact of using a scholarship. For the purposes of transparency, both estimates are provided in the reports.

2. In reviewing the past few years of the study you can see steady growth in reading scores for students who have participated in the program to the point where we have the equivalent of more than three months of additional instruction for students using a scholarship over those who did not. You have seen that each year students also did better in math, but not at the statistically significant level. Given that each year we have seen gains in achievement for students using a scholarship over students in DC Public Schools why wouldn't you want to capitalize on those gains and scale up the program? It seems logical to continue working to improve the traditional public schools while opening up a lifeline of success to students so we do not have a lost generation of kids waiting for change to come to every school.

A: The recent evaluation report demonstrated an impact in reading for only 5 of the 10 subgroups of students and did not include those students who entered the program at relative academic disadvantage, such as the students from DC schools designated as in need of improvement who were the main target group for the program. Also, please note that the fact that the math results are not statistically significant means that we can't distinguish the impact from zero; that is, we can't be confident that the impacts are positive. Finally, the size of the reading impact for the OSP after three years is comparable to, or perhaps lower than, the impacts on reading achievement found in two studies of inner city charter schools (in Boston and New York City).

While the Administration supports letting current students continue their scholarships, we are focusing our efforts on supporting the District's efforts to improve their public schools in order to provide opportunities for all students, rather than expanding the OSP to serve new students.

3. Mr. Secretary, I know you have been asked several times about your position on the DC Opportunity Scholarship Program. I believe your answer was that you wanted to work on reforms that help all kids. That is a noble goal that I and my colleagues agree with. However I don't believe this is an "either/or" situation. The parent groups in DC have a motto, "put kids first." I see this as one more tough issue where ideology must be put aside so we can do what is right for kids. To that end, can you explain why you believe the right thing to do is to phase out a scholarship program that has shown success in achievement for those who use the scholarship and, if continued, would likely continue to show greater success? Why you believe the right thing to do is deny students the choice and chance to get a better education while the overall improvement process is underway? Why you believe that the right thing to do is get rid of a program that has been deemed successful by the lead, independent researcher rather than scale up the program so more students can benefit?

A: For the reasons described in response to the previous question, while the Administration supports letting current students continue their scholarships, we are focusing our efforts on supporting the District's efforts to improve their public schools in order to provide opportunities for all students, rather than expanding the OSP to serve new students.

4. Last week, the Senate held a hearing on the DC Opportunity Scholarship program. One of the witnesses, Ms. Latasha Bennet, the mother of a child currently receiving a scholarship and one who was promised a scholarship that was recently revoked, posed a question to you that I would like to ask for her today. She said, "I would like to ask Mr. Secretary Arne Duncan how is it that my child should not be given the same opportunity as his children to get the best education possible." How do you respond to Ms. Bennet, whose young daughter will not have the same opportunity as her older brother because of the decision to block new enrollees?

A: The Administration strongly supports the District's efforts to improve their public schools to provide opportunities for all students. In addition to the funds that the District's schools would receive under President Obama's overall Fiscal Year 2010 Education budget proposal and are receiving under the American Recovery and Reinvestment Act, President Obama's FY10 budget proposal requests a total of \$74 million to support kindergarten through high school education in the District, including \$42 million for DC Public Schools and \$20 million for DC charter schools, as well as \$12 million to allow currently enrolled students to continue in the DC Opportunity Scholarship Program.

Rep. Ehlers

1. Under the Higher Education Opportunity Act, you are required to convene a summit of higher education experts that work in the area of sustainable operations to develop and refine sustainability practices and innovation. I know that many in the sustainability community are anxious for this summit to take place, and the law requires it to take place by the end of fiscal year 2010. I would like to know what steps your Department has taken to date to prepare for this summit.

A: As the Department and other agencies bring on staff, we have had initial discussions regarding this summit. We would be happy to give you a progress report as we get closer to the date for the summit.

2. Under the Higher Education Opportunity Act, you are required to enter into an agreement with the National Research Council to conduct an evaluation of distance education programs. The interim report is due next month. Please update me on this report's progress.

A: The Department has not entered into an agreement with the National Research Council for this evaluation because no funding was provided by Congress for this purpose.

3. According to OSTP (Office of Science and Technology Policy), STEM education funding at the U.S. Department of Education is \$87 million (or 10 percent) less than fiscal year 2009 in the President's budget request. I am confused about the conflicting messages from the Obama Administration on support for STEM education and the America COMPETES Act, particularly at the K-12 levels. Why the discrepancy between the message and the fiscal year 2010 budget request?

A: There is no discrepancy between the budget request and the President's message. The lower funding request reflects the expiration of the authority for one program, the Hispanic-serving Institutions STEM and Articulation Program, which was authorized and received mandatory funding for fiscal years 2008 and 2009. If one excludes that one-time funding, the current STEM budget for programs in the Department of Education is actually \$13 million higher than in FY 2009.

4. President Obama has recognized the need to improve our students' readiness for the jobs of the future. However, the U.S. Department of Education's fiscal year 2010 budget requests level funding for the Math & Science Partnerships program. For years, Representatives Holt and Ehlers have fought to increase funding for this valuable teacher professional development program at the Department of Education. I find it very disheartening that the President's budget does not request adequate resources for this program. Please comment on how, under the President's proposal, current teachers will be equipped with the math and science skills needed to help our nation's future workers succeed.

A: In addition to the request for Math and Science Partnerships (MSP), the Administration has requested over \$3 billion for ESEA Title II-A teacher professional development through Title II, Part A programs, including Improving Teacher Quality State Grants, Troops-to-Teachers, and Transition to Teaching. These programs serve teachers across the academic content areas, including mathematics and science.

5. President Obama's budget requests funds to "support activities to strengthen States' content and achievement standards and assessments, such as activities to develop college- and career-ready standards and assessments". As you may be aware, I strongly support voluntary, national math and science education content standards. In June, I plan to reintroduce the Standards to Provide Educational Achievement for Kids (SPEAK) Act, which provides financial incentives to states to adopt world-class, national math and science standards. Please comment on the President's proposal related to standards.

A: Unfortunately, many state standards for graduation from high school fail to prepare children for college or careers. The Administration is pleased that the National Governors Association and the Council of Chief State School Officers have committed to leading an effort to create common standards in English language arts and mathematics for grades K-12. These standards will be research- and evidence-based, internationally benchmarked, aligned with college and work expectations, and include rigorous content and skills.

Our request for \$410.7 million for State Assessments and Enhanced Assessment Instruments would support the development and improvement of standards and assessments, and administration of improved State assessments aligned with those standards. Although States have largely met the requirements for implementing the assessments currently required under Title I of the ESEA, the Administration believes that those requirements should be considered basic requirements, not requirements for an ideal assessment system. The Administration is, therefore, requesting funds that States can use to begin developing and implementing rigorous college- and career-ready standards and high-quality assessments that are valid and reliable for all students. In addition, these funds will complement and support the State Fiscal Stabilization Fund (SFSF) requirement that States improve their existing academic standards and that they implement college- and career-ready standards and rigorous assessments to improve both teaching and learning. Also, we have set aside \$350 million of Race to the Top funds for the potential purpose of supporting States in the development of a next generation of assessments. As an important next step in contemplating and designing a competition for these funds, and as a means of

providing technical assistance to States, the Department held public meetings in Boston, Atlanta and Denver. Information about the schedule and topics is available at <http://www.ed.gov/programs/racetothetop-assessment/index.html>.

6. Please elaborate on how the Race to the Top Funds will be distributed, and whether they will address specific subjects.

A: Race to the Top is a competitive grant program designed to encourage and reward States that are creating the conditions for education innovation and reform; achieving significant improvement in student outcomes, including making substantial gains in student achievement, closing achievement gaps, improving high school graduation rates, and ensuring student preparation for success in college and careers; and implementing ambitious plans in four core education reform areas:

- Adopting standards and assessments that prepare students to succeed in college and the workplace and to compete in the global economy;
- Building data systems that measure student growth and success, and inform teachers and principals about how they can improve instruction;
- Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most; and
- Turning around our lowest-achieving schools.

Race to the Top will reward States that have demonstrated success in raising student achievement and have the best plans to accelerate their reforms in the future. These States will offer models for others to follow and will spread the best reform ideas across their States, and across the country. States that include in their application a high-quality plan to emphasize science, technology, engineering and mathematics (STEM) education will receive a competitive preference.

The Department plans to make Race to the Top grants in two phases. States that are ready to apply now may do so in Phase 1; States that need more time may apply in Phase 2. States that apply in Phase 1 but are not awarded grants may reapply for funding in Phase 2, together with States that are applying for the first time in Phase 2. Phase 1 grantees may not apply for additional funding in Phase 2. Phase 1 applications will be due January 19, 2010 and awards announced in April 2010. Phase 2 applications will be due June 1, 2010 and awards announced in September 2010.

The Final Notice/Invitation for Applications for Race to the Top can be found at <http://edocket.access.gpo.gov/2009/pdf/E9-27427.pdf> and an executive summary can be found at <http://www.ed.gov/programs/racetothetop/executive-summary.pdf>.

Rep. Guthrie

1. I have been pleased to hear that the Secretary asserts that there will be an effort to continue working with state-based non-profit organizations. These organizations, such as the Kentucky Higher Education Assistance Authority (KHEAA), which serves my district, make valuable contributions to college access and financial literacy efforts across the country. I am concerned that KHEAA and other similar non-profit organizations will not be able to participate in servicing of loans originated under the Administration's direct loan proposal due to their smaller size and capacity. Should the plan be passed into law, does the Administration's proposal include an explicit role for smaller non-profits in servicing direct loan originated loans?

A: States and non-profits should not have to depend on loan servicing revenue in order to engage in important college access and financial literacy education in high schools. The problems in the credit markets have seriously undermined the work of a number of nonprofit organizations that had relied on loan income to fund outreach efforts. That is why we are proposing a separate pot of mandatory funds for States that can be used to continue these important activities.

2. I have heard a lot from the teachers in Kentucky about a program called Best in Class that was implemented by our non-profit State agency, the Kentucky Higher Education Assistance Authority (KHEAA). Through this program, any student who went into teaching was promised 100 percent forgiveness of their student loans over five years. This program is clearly more generous than the federal loan forgiveness programs. The agency had to stop offering this program due to the recent cuts to lender subsidies, but is eager to find an alternative method of financing loans that will provide them with the ability to restart this program. What options are available to KHEAA to assist them in fulfilling their promised obligations to these new teachers?

A: The Department has received many letters regarding this situation. While we understand your concerns, the Department does not have any legal power to compel KHEAA or the State of Kentucky to offer that program. There are several Federal programs that help teachers with their obligation to repay their student loans. Teachers who participated in Best in Class may be able to qualify for a loan can-

cellation of up to \$17,500 for teachers serving for 5 consecutive years in low-income schools and subject-matter shortage areas, or these teachers can consolidate the loans into the Direct Loan Program in order to take advantage of the Public Service Loan Forgiveness Program.

Rep. McKeon

1. In the President's 2010 budget proposal, there is a great deal of emphasis placed on early childhood programs, including new programs that would be implemented by the Department of Education. As you know, the Federal government already has a number of different early childhood programs (69 identified by a 2001 GAO report), the largest of which are based at the Department of Health and Human Services. I am concerned that, by creating additional and separate Federal early childhood programs, we would simply be adding to an already fragmented system of early childhood assistance at the Federal level. Would the new programs at the Department of Education take the place of any of the existing Federal programs?

A: The new Early Learning Challenge Fund program would strengthen and complement, not duplicate, existing and proposed Federal investments in early learning programs, including Head Start. The grants would support State efforts to raise their early childhood education standards, build systems that promote quality and ensure the effectiveness of their early learning programs, and monitor programs' performance against the State standards.

2. I'm aware that the Department has decided to revise the Title I regulation issued in 2002 to allow those school districts in need of improvement to serve as eligible providers of Supplemental Educational Services (SES). The last Administration implemented a pilot program allowing a number of districts to offer SES in conjunction with implementing parental notification and awareness provisions. Are these parental options going to be part of your changes to the districts in need of improvement regulation? And, if not, what protections are you going to put in place to ensure that students are not forced into district programs? And what recommendations would you make so that all providers have equal access to collecting and disseminating information to ensure maximum parental choice?

A: The Department's proposal to allow States to approve as an SES provider a district identified for improvement, or corrective action, or a school identified for improvement, corrective action, or restructuring is intended to level the playing field for such LEAs and schools and is not intended to give them unfair advantage in enrolling students in SES. If an identified district or school becomes a State-approved provider, it must follow the same statutory and regulatory requirements for implementing SES that apply to other providers. Moreover, the October 2008 Title I regulations include new provisions that will help to ensure that all providers have equal access to eligible students. For example, in order to spend unexpended funds from its 20 percent obligation on other allowable activities, an LEA must partner with outside groups to promote participation in SES and public school choice, take certain steps to ensure that all eligible students and their parents have a genuine opportunity to sign up for SES and public school choice, and ensure that all providers are given access to school facilities using a fair, open, and objective process. In addition, the Department has produced a guidebook to assist LEAs with meeting their obligations to notify parents about SES and public school choice and to implement the requirements of the two provisions. The guidebook, "Giving Parents Options: Strategies for Informing Parents and Implementing Public School Choice and Supplemental Educational Services under No Child Left Behind," is available at <http://www.ed.gov/admins/comm/choice/options/index.html>. Finally, it is parents who will continue to make the final decision about choosing an SES provider from the State list of approved providers that serve their area.

3. One of the keys to successful implementation of the supplemental educational services provision is communicating to parents the availability of these services in ways that are easily understandable. Can you detail how some districts, including your experience in Chicago, have made strides in getting the word out to parents about the availability of both the district-sponsored service and the service of other providers?

A: Chicago, as well as other districts, has taken seriously its responsibility to provide clear and complete information to parents about their SES options. For example, for the 2008-09 school year, Chicago initially informed parents about SES in April 2008 through a letter in both English and Spanish. That was followed by a detailed SES handbook (also in English and Spanish) distributed to parents at the start of the school year. Chicago has developed this handbook each year for several years, and it contains information on each provider approved to serve the district. Additionally, the district undertook a door-to-door campaign to reach parents, aired

radio and TV announcements, worked with community partners to get the word out, and posted information online. This resulted in almost 200,000 students being notified in Chicago and almost 50,000 enrolling in services (in both the district's program and other providers' programs).

We believe that other districts around the country will begin or continue these types of outreach activities in the 2009-2010 school year thanks to several new allowances and requirements in the Title I regulations. For example, districts may now spend the equivalent of 1 percent of their Title I allocations (and count that money against their public school choice and SES obligation) for parent outreach for SES and public school choice. Additionally, the regulations require districts that have not spent their full 20 percent obligation and wish to spend the unexpended funds on other activities to partner with outside groups to help inform parents. The regulations also require all districts to send SES notices to parents that are clear, concise, and clearly distinguishable from other school improvement information and that explain the benefits of SES, among other things.

However, the Department will need to remain vigilant to ensure that districts, in light of budget cuts, continue to fully inform parents of their SES options, as well as implement all other aspects of SES consistent with all regulatory and statutory requirements. Furthermore, pursuant to Title VI of the Civil Rights Act of 1964, districts may be required to communicate information to parents with limited English proficiency in their native language. The Department's Office for Civil Rights, which has enforcement responsibility for this statute, will vigorously enforce this law.

4. Would the new early childhood education programs proposed in the President's budget be required to work within the existing Head Start standards, updated in the reauthorization bill that passed last Congress? Will these new programs be targeted towards low-income kids or will all students qualify, including students from wealthy families?

A: None of the Administration's proposed early learning programs would conflict with the existing Head Start Program Performance Standards. These initiatives would also encourage or require programs to serve disadvantaged children. For example, the Early Learning Challenge Fund would require applicants to describe the efforts they would make to move a higher proportion of low-income children to higher-quality early learning settings. None of the Administration's proposed programs (Early Childhood Grants, Early Learning Challenge Fund, Promise Neighborhoods, and Early Reading First) prohibit or would prohibit grantees from serving children who are not from low-income families.

5. I am aware that the Department has notified States and school districts that it will entertain requests for waivers to certain SES provisions included in Title I of the Elementary and Secondary Education Act (ESEA), under the American Recovery and Reinvestment Act. What criteria are you basing those waivers on? And would you consider granting a waiver for SES in districts where there are more kids eligible for SES than could be funded under the 20 percent set-aside?

A: The non-regulatory guidance on Title I, Part A Waivers released in July describes in Section B, "Waivers of Title I, Part A Statutory and Regulatory Requirements Related to SES and Public School Choice," the requirements related to such waivers. Section C, "Waivers Related to Title I, Part A ARRA Funds," includes requests for waivers to allow exclusion of Title I, Part A ARRA funds in "set aside" calculations. The guidance is available at: <http://www.ed.gov/programs/titleiparta/title-i-waiver.doc>.

6. I know that you have talked a lot about innovation and granting States additional flexibility in how they implement several provisions under ESEA. To this end, has the Department worked with States and local educational agencies to encourage them to submit performance agreements under the State and Local Flexibility Demonstration Programs? Also, would you support proposals to increase the percentage of funds that States and local school districts could transfer under the law's transferability option?

A: The Department would need to examine the impact of the current statute and complete an analysis of the transferability activities over the past years in order to make an informed decision on the issue of the percentage of funds that SEAs and LEAs should be able to transfer to other programs. The Department will consider the role of the current flexibility programs in spurring innovation within the context of the upcoming ESEA reauthorization. The Secretary is now in the middle of a nationwide listening and learning tour to hear from parents, students, teachers, principals and other educators about how ESEA is working and how best to promote reform of our nation's schools.

7. The Administration's proposal would seem to funnel an overwhelming majority of its early childhood education funding through local educational agencies, some of which are deemed at failure of meeting State standards in reading and math under

the Elementary and Secondary Education Act. Will schools that currently fail to meet Adequate Yearly Progress (AYP) be considered as eligible entities to provide early childhood education?

A: Only one of the new early childhood programs proposed by the Administration in the Fiscal Year 2010 budget request, Title I Early Childhood Grants, would provide formula funds to local educational agencies (LEAs). This initiative would leverage a portion of the Title I funds made available under the American Recovery and Reinvestment Act of 2009 (the Recovery Act) by supporting the planning and implementation of local early childhood education programs. The Department would make formula grants to State educational agencies (SEAs) based on the proportional share of Title I, Part A funds received by their LEAs in fiscal year 2009, including Recovery Act funds. States would then provide matching grants to LEAs, with the match supplied by LEAs through the allocation of Recovery Act Title I funds to eligible early childhood programs. The unprecedented increase in Title I funding provided by the Recovery Act creates a unique opportunity for LEAs to make the investments needed to establish or expand high-quality pre-K programs that are fully coordinated with their existing Title I programs. SEAs would be permitted to establish their own additional requirements for LEAs seeking matching grants, including priorities for the use of funds, performance standards, and limitations on the participation of LEAs that do not have the capacity to use the funds effectively to implement high-quality early childhood programs. The Department would not require States to link these funds to schools' AYP status.

8. As you know, one of the most common challenges that local school districts have had when trying to help schools that are in need of improvement is that local collective bargaining agreements restrict the assignment of more experienced teachers, the expeditious dismissal of teachers who cannot demonstrate effectiveness, and reconstitution of school staff. How should Federal law tackle this problem? Should we repeal or make exceptions to the collective bargaining language included in ESEA?

A: The Administration recognizes the importance and necessity of developing and implementing reforms through collaboration and partnership with unions. Turning around underperforming schools, particularly schools with the greatest need for improvement, will be challenging yet essential work. The Administration is confident that collective bargaining agreements will not be a limitation in carrying out effective school turnarounds.

9. Early childhood education has historically been a private endeavor. Would the Administration's new early childhood proposals allow the private industry, including community-based providers, to maintain their role in State provided early childhood education?

A: The Administration's proposals would allow privately owned and operated early learning programs, including programs operated by community-based organizations, to continue their important role in providing young children with critical programs, services, and supports.

10. Do you support alternate routes to teacher certification that maintain high standards for subject matter knowledge but remove many of the hoops and hurdles that I believe keep many promising individuals out of teaching?

A: Yes. For example, the Administration's FY 2010 budget proposal continued funding for the Transition to Teaching (TTT) grant program, at the FY 2009 level of \$43,707,000. Projects funded through TTT have been successful in recruiting and selecting qualified mid-career professionals, highly qualified paraprofessionals, and recent college graduates (within three years) to teach in high-need schools in high-need districts, providing rigorous preparation leading to certification through accelerated, alternate routes, and providing project participants the mentoring and support needed to increase the likelihood of them remaining in teaching. Because of the alternative routes to certification and incentives provided by the projects, many individuals who would not have been able to enter teaching have been able to do so and meet the needs of students in our highest need districts.

11. In your opinion, do you think that teacher colleges of education are doing an adequate job preparing teachers for the realities of today's classroom—diverse population, special needs students, and content standards set by ESEA? If not, what are your suggestions for improving pre-service training for our nation's teachers?

A: Colleges of education need to make dramatic changes to prepare today's children to compete in the global economy. Teacher-preparation programs should ensure that new teachers will master the content of the subjects they will teach and they will have well-supported field-based experiences embedded throughout their preparation programs. Their ultimate goal should be to create a generation of teachers who are focused on improving student achievement and ready to deliver on that goal. Congress recently reauthorized the Higher Education Act, which includes the

authority for the Teacher Quality Partnership program in Title II. As revised, Title II now authorizes grants for pre-baccalaureate as well as residency programs, and we have recently awarded grants under the new authority. While the entire Higher Education Act was just reauthorized and will not expire until FY 2014, Title II will expire in FY 2011.

12. Recent research, including research from former President Clinton chief-of-staff John Podesta's organization, has shown that student achievement goes up when principals have the freedom to reward good teachers. On the other hand, research has also shown that additional credentials, including National Board certification, bears little to no relationship to improved student performance. So, rather than giving each National Board-certified teacher \$10,000 as some proposals would do, wouldn't it be wiser to invest that money in incentive pay structures that have a track record of success?

A: Our budget request for the National Board for Professional Teaching Standards (NBPTS) is based on a variety of evidence showing the positive impact of National Board Certified Teachers (NBCTs) on student achievement and other measures. According to "Assessing Accomplished Teaching: Advanced-Level Certification Programs," a report released by the National Research Council (NRC) of the National Academies in June 2008, NBCTs have higher retention rates and students with higher achievement. This most rigorous and comprehensive study to date of National Board Certification (NBC) followed a request by Congress to develop a framework for evaluating programs that offer advanced-level certification to teachers.

In addition, several major independent studies show that students of teachers who have earned NBC perform better on standardized tests and on other measures than students of non-NBCTs. In one large-scale analysis of more than 100,000 student records, Linda Cavalluzzo (2004) demonstrates that students of NBCTs—particularly African American and Hispanic students—make larger gains in mathematics than students taught by non-NBCTs. Another study finds that students of NBCTs make learning gains equivalent on average to an extra month in school (Vandevort, Beardsley, & Berliner, 2004). Furthermore, an examination of student achievement by Dan Goldhaber and Emily Anthony (2004) reveals that students of NBCTs scored 7 to 15 percentage points higher on year-end tests. These studies also show that minority students benefit even more from instruction by NBCTs.

13. I've seen a quote from you many times, including recently in Time Magazine, when you stated that, "What NCLB did was, they were very loose on the goals—50 states could create their own goals and 50 different goalposts, and [what] that led to was a real dumbing down of those goals. What they're very tight on is how you get there. I think what we need to do is fundamentally reverse that—I think we need to be really tight on goals and have these common college-ready international benchmark standards that we're all aiming for, but then be much looser in how you let folks get there." What do you mean by being "looser on how you let folks get there"? Does that mean delaying State accountability or pushing off the timeline? How do your comments compare to the fact that local educational agencies have a significant amount of flexibility into what interventions they implement for their failing schools once they are identified as needing corrective action or restructuring? Also, if you believe that State standards in reading and math are too low and that States need to implement common standards that are high standards, how are you going to address the complaints that we have heard from States that it was too hard to get all kids on grade level to what you call "dumbed down goals"?

A: Unfortunately, under NCLB, many State standards fail to prepare children for college or careers. This Administration is pleased that the National Governors Association and the Council of Chief State School Officers have committed to leading an effort to create common standards in English language arts and mathematics for grades K-12. These standards will be research- and evidence-based, internationally benchmarked, aligned with college and work expectations, and include rigorous content and skills. We strongly believe that all children, with proper support, can achieve to high standards. With regard to accountability under ESEA, the Secretary is in the middle of a nationwide listening and learning tour to hear from parents, students, teachers and other educators about how ESEA is working and how best to promote reform in our Nation's schools. Their views and many others will inform our thinking about reauthorization, and we look forward to working with the Committee on that.

14. I've heard that there has been some discussion at the Department that the 2014 timeline will be "dealt with" in the Race to the Top application, with the implication that if States agree to raise their standards, the Department will give them additional time on accountability beyond the 2014 deadline. Can you elaborate on this point? And if so, under what authority would you do this?

A: The Race to the Top application process described in the Final Notice/Invitation for Applications does not address the 2014 timeline. The final notice can be found at <http://edocket.access.gpo.gov/2009/pdf/E9-27427.pdf>.

15. In your testimony, you mentioned that all staff, including janitors and lunch attendants, in a school should receive awards under the proposed performance pay system. Is there any scientific research available that demonstrates that including these other staff members in the performance pay system will help increase student achievement?

A: The Teacher Incentive Fund provides grants to encourage school districts and States to develop and implement innovative performance-based compensation systems that reward teachers and principals for raising student achievement and for taking positions in high-need schools. States and LEAs, either alone or in partnership with non-profit organizations, may apply for competitive grants to develop and implement performance-based compensation systems for public school teachers and principals. These compensation systems must be based primarily on measures related to student achievement.

The \$420 million increase from the regular 2009 appropriation that the Administration has requested would support a significant expansion of State and school district efforts to develop and implement comprehensive strategies for strengthening the educator workforce and driving improvements in teacher effectiveness. Beginning with the competition that the Department will conduct this year with the \$200 million in additional funds provided for this program by the Recovery Act, the Department will place a priority on the support of comprehensive, aligned approaches that support improved teacher and principal effectiveness and help ensure an equitable distribution of effective educators, that actively involve teachers (including special education teachers) and principals in the design of human capital and compensation systems, and that use data from emerging State and local longitudinal data systems to track outcomes and associate those outcomes with educator performance. In addition, the Administration is requesting language that would permit support for performance-based compensation to all staff in a school, because research indicates that this approach can be effective in raising performance across a variety of organizations. This proposed language would replace current language limiting performance-based compensation to teachers and principals.

In addition, the request includes \$30 million to support the National Teacher Recruitment Campaign, a comprehensive effort by the Department, working with public and private non-profit partners, to reach out to potential candidates (including non-traditional candidates) for teaching positions, provide information on routes they can take to enter the profession, and support the development of training programs to help these candidates become qualified to teach.

16. The Administration's budget includes a new Striving Readers program that will provide competitive grants to local educational agencies targeted toward helping students in elementary schools learn to read. In the development of this plan and the planning application process, will school districts be required to ensure that their programs include instruction in phonemic awareness? Will they be required to ensure that the programs include instruction in phonics?

A: Yes. Local educational agencies that receive funding under the proposed Striving Readers Early Literacy Grants program would be required to address the five components of effective reading instruction identified in 2000 by the National Reading Panel: phonemic awareness, phonics, fluency, vocabulary, and comprehension. In addition, the Department would emphasize oral language development and writing skills.

17. Does the Administration have any plans to make changes to the 1% or the 2% rules, which allow States to hold students with disabilities to alternative or modified achievement standards under ESEA?

A: This is an area that we will likely consider in developing a proposal for reauthorization of the ESEA as we look at options for ensuring the valid and reliable assessment of students with disabilities.

18. It is a known fact that IDEA is underfunded at the Federal level. By Congress not meeting its commitment to fully fund 40 percent of the national average per pupil expenditure, local districts have picked up the cost burden. When Congress passed IDEA in 2004, we hoped that one day we would meet our commitment to fully fund special education and knew we needed to give local school districts some flexibility to reclaim their local dollars they have been using to cover the shortfall. Therefore, we included language in the law that districts would be allowed to reclaim their local dollars in an amount equal to 50 percent of their Federal increase, provided they use those dollars for educational purposes. The funding included in the American Recovery and Reinvestment Act or ARRA is one of the first real opportunities for school districts to utilize this flexibility. However, it has come to my at-

tention that the Office of Special Education Programs is taking a restrictive view and denying the ability of school districts to use this flexibility. When we passed IDEA in 2004, we included report language that said States had to “meet an exceptionally high standard to prevent local education agencies from exercising local control.” What basis is the Department using to deny the use of this flexibility to thousands of school districts?

A: The Individuals with Disabilities Education Act (IDEA) Section 613(a)(2)(C) permits local educational agencies (LEAs) that meet certain conditions to reduce their required local, or State and local, expenditures on special education by up to 50 percent of any increase in the LEA’s allocation under IDEA Section 611 (Grants to States program).

The LEA must spend the ‘freed-up’ local or, State and local, funds on activities that are authorized under the Elementary and Secondary Education Act (ESEA) of 1965. Under IDEA, section 616(f), States are required to prohibit any LEAs that they determine are not meeting the requirements of Part B from taking an MOE reduction under the authority in section 613(a)(2)(C).

19. I committed to helping families and individuals with disabilities have the opportunity to lead fulfilling, productive lives. Like you, I realize the importance of fully funding the Individuals with Disabilities Education Act (IDEA) and improving special education, related services for children with disabilities. We also agree on the importance of accountability for the academic achievement of these children through the No Child Left Behind Act. As the 2010 reauthorization of IDEA looms, what are your ideas to provide greater access to the general education curriculum, increased inclusion in the general education classroom and improved postsecondary education and other transition opportunities for all children with disabilities, including those with intellectual disabilities?

A: We share your commitment to improving educational results for children with disabilities. One of the successes of NCLB was that it helped expose the achievement gap by requiring reporting of test scores by each sub-group, including students with disabilities. As you know, the ARRA included an additional \$12 billion for IDEA. We are providing guidance and technical assistance to States and districts about strategic ways to invest these one-time funds to improve outcomes for students with disabilities over the next two years and to advance reforms that will have even longer-term impact. In addition, we will continue to target our investments under the programs authorized under IDEA, Part D on activities that we believe will support improved outcomes for children with disabilities. These include, among others, a center that provides technical assistance on increasing the participation and progress of children with disabilities in assessment and accountability systems; a center that provides technical assistance to improve transition planning, services, and outcomes for youth with disabilities; and a center that provides technical assistance on school-wide systems of positive behavior supports and interventions.

20. You said you’d like to set a goal to turn around 1,000 low-performing schools a year for each of the next five years. While this goal is admirable, how can a local educational agency that wants to close low-performing schools and re-open them with new principals and teachers do that in light of collective bargaining agreements and other regulations in place?

A: The Administration recognizes the importance and necessity of developing and implementing reforms through collaboration and partnership with unions. Turning around underperforming schools, particularly schools with the greatest need for improvement, will be challenging yet essential work. The Administration is confident that collective bargaining agreements will not be a limitation in carrying out effective school turnarounds.

21. President Obama has called charter schools “one of the places where innovation occurs” and he has called on States to lift caps on the number of charter schools. In your testimony before the Committee, you stated that the Department would ask States to detail whether they had charter school caps in place in their Race to the Top applications. Will the Department provide those States that do not have charter school caps with a priority in accessing funding under the new program?

A: In applying for Race to the Top funds, a State will earn points for ensuring successful conditions for high-performing charter schools and other innovative schools, as measured by the extent to which the State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools in the State; the State has laws, statutes, regulations or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; the State’s charter schools receive equitable funding compared to traditional public schools; the State provides charter schools with

funding for facilities, assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports, and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and the State enables LEAs to operate innovative, autonomous public schools other than charter schools. The Final Notice/Invitation for Applications for Race to the Top can be found at <http://edocket.access.gpo.gov/2009/pdf/E9-27427.pdf> and an executive summary can be found at <http://www.ed.gov/programs/racetothetop/executive-summary.pdf>.

22. For the current school year (2008-2009), how many States are in compliance with the Highly Qualified Teacher (HQT) definition under ESEA? What impact has the HQT definition had on recruiting high quality teachers around the country, including recruiting special education teachers? What impact has the HQT definition had on the ability of public charter schools to recruit teachers? What impact has the HQT definition had on alternative certification programs?

A: We do not yet have 2008-09 data on the percentage of teachers that meet the statutory definition of a highly qualified teacher. The most recent year for which we have those data is the 2007-2008 school year. In that year one State, North Dakota, had 100 percent of its teachers meeting the HQT definition. Nationally, 95 percent of teachers met the HQT definition in that year compared with 86.5 percent in the 2003-2004 school year.

The Department has not conducted an evaluation that looks systematically at the effects of the HQT requirement. We do not believe, however, that it has adversely affected schools' ability to recruit teachers. It can be difficult for rural schools, where secondary teachers often provide instruction in multiple subjects, to find teachers who are highly qualified in more than one subject area. Similarly, multi-subject special education teachers who provide direct instruction in core content areas are also difficult to find. But, in general, the data indicate that the requirement has not been an impediment to recruitment or hiring.

We believe that the HQT definition has had a positive impact on alternative certification programs. The Title I regulations permit a prospective teacher who already has a bachelor's degree and who has already demonstrated subject competence to be considered highly qualified for a period of up to three years if he or she is enrolled in an alternative certification program that meets certain the following requirements: (1) it provides intensive, ongoing professional development; (2) it provides structured supervision or mentoring; and (3) it requires that the teacher make satisfactory progress through the program. Alternative certification programs have been modified so that they meet these requirements. Also, these programs are probably more attractive both to enrollees and to the schools that hire them than they were before the HQT requirements came into effect, because they provide an option whereby schools can hire teachers who are skilled but do not meet full certification requirements and count them as highly qualified. Such programs can be particularly attractive in urban and rural settings and for special education teachers who need endorsements in core content areas.

23. Does the Administration support Adjunct Teacher Corps programs, including the new program authorized under the Higher Education Opportunity Act?

A: The Administration's budget proposal does not contain a request for the Adjunct Teacher Corps program, which was authorized in P.L. 110-315 but has not yet received funding from Congress. Should Congress direct funding to this program, the Administration would work closely with Congress to implement and administer the program in a manner that makes it as effective as possible.

24. The budget proposes major changes to the Perkins loan program, transforming it into a tool to encourage colleges to control costs. It reminds me of a proposal I offered several years ago to use the campus-based aid programs—including Perkins—to achieve that same goal of holding down costs. Unfortunately, my plan was rejected by the higher education community. I hope you have better luck than I did, and to that end, I have two specific questions. First, will all sectors—including proprietary—be eligible for this program? And second, can you share some specifics about how this will work, how you think it will bring costs down, and what other plans you may have to get colleges to control their costs?

A: Under the Administration's budget proposal, the annual Perkins Loan volume would increase from approximately \$1 billion per year to \$6 billion. This would be in the form of lending authority for both undergraduate and graduates, allocated to institutions by a formula that may include factors to encourage colleges to control their costs and offer need-based aid to limit indebtedness, and reward colleges for enrolling and graduating students from low-and middle-income families. Our expanded and modernized Perkins Loan program would retain the current five percent interest rate and contain a "hold harmless" for schools currently in the program,

while eliminating the burden on schools to service and collect on the new Perkins loans.

25. According to the Administration's 2010 budget, the proposed Early Learning Challenge Fund would provide competitive grants to State educational agencies in order for those agencies to establish pathways to high quality early childhood education. We have yet to see a legislative proposal for this proposed Fund, but some of the activities seem to duplicate those being conducted by State Advisory Councils on Early Childhood Education and Care that were authorized under the Head Start Act. How do these two proposals differ? And if they are different, how does the Department propose to increase coordination between HHS?

A: The Administration worked closely with the Committee to develop language for the Early Learning Challenge Fund (ELCF). The Administration supports a joint effort between ED and HHS to administer the ELCF. Further, HR 3221 calls for states applying for ELCF funds to coordinate activities with the State Advisory Councils.

Rep. Petri

1. A recent investigation by the New America Foundation found that Nelnet, in its November 2006 response to the Inspector General's audit of Nelnet, cited three program reviews of other 9.5 claimants as justification for not reimbursing its own illegal claims. In 2007, Secretary Spellings and Undersecretary Sara Martinez Tucker cited the Nelnet response in making a decision to allow Nelnet to keep its illegal claims. Now, however, the program reviews have been discredited by the IG in the April 2009 audit of Federal Student Aid. Have you asked the Attorney General to review the Nelnet settlement?

A: We have not asked the Attorney General to review the Nelnet settlement, which was entered into and became effective in January 2007. The Higher Education Act as in effect prior to the 2008 changes gave the Secretary full authority to settle FFELP claims, and she exercised that authority to settle the Department's claim against Nelnet. Whether program reviews conducted by the Department before the Nelnet audit settlement were questionable, as noted in the recent Inspector General review, does not invalidate the binding effect of the Nelnet settlement or any of the other settlements reached in 2007 regarding claims for improper payments of Special Allowance Payments (SAP).

2. Have any other 9.5 claimants made reimbursements? Please provide me with an update of all 9.5 payments, reimbursements, and any other 9.5 transactions for federal fiscal years 2006, 2007, and 2008.

A: Chart Attached at end of document.

3. The IG's new, April 2009 audit describes how FSA/Financial Partners' program reviews were mishandled in that they were not reviewed by the Department's Office of General Counsel. A Kentucky 2006 9.5 program review, however, cites a "legal opinion provided" but apparently it is from a source other than the Department. Would you please provide a copy of the legal opinion cited in that program review?

A: The "legal opinion provided" to which you refer was not issued by the Department. In response to your question, we asked the Kentucky Higher Education Student Loan Corporation (KHESLC) for a copy of that opinion, and in response to our request, KHESLC provided a Word document, a printout of which is attached to these responses.

Rep. Platts

1. I am a co-chair of the Congressional Arts Caucus and through the Caucus we promote the advancement of music and arts education. As you know, students with an education rich in the arts have been proven to achieve better grade point averages in core academic subjects, score better on standardized tests, and have lower drop-out rates than students without arts education. Even though art is a core curriculum subject, many schools across the nation have eliminated their programs. As you develop proposals to reauthorize the Elementary and Secondary Education Act, how do you plan to ensure that schools continue to offer music and art classes?

A: The arts are a core academic subject and part of a complete education for all students. The arts are also important to American students gaining the 21st century skills they will need to succeed in higher education and the global marketplace—skills that increasingly demand creativity, perseverance, and problem solving combined with performing well as part of a team. We are committed to taking actions to help ensure music and art remain prominent in K-12 education.

2. A recent GAO Report (Access to Arts Education: Inclusion of Additional Questions in Education's Planned Research Would Help Explain Why Instruction Time Has Decreased for Some Students, Feb. 27, 2009) found that teachers at schools identified as needing improvement and those with higher percentages of minority

students were more likely to report a reduction in instructional time spent on arts education. Because of this finding, GAO recommended to the U.S. Department of Education that when carrying out its planned study on the impact of No Child Left Behind, questions be included regarding changes in arts instructional time and the causes of these changes. Do you plan to follow through on this recommendation?

A: The Department plans to conduct its next study of Title I implementation and impact after the reauthorization of the Elementary and Secondary Education Act. We will consider this issue at that time. We would like to note that the GAO report found that overall very few elementary teachers reported decreases in the amount of instructional time spent on arts education.

3. When will the other Assistant Secretaries be coming on board?

A: We are working to staff our leadership positions as quickly and carefully as possible. We have two remaining Assistant Secretary positions unfilled.

4. What will the Administration's top three priorities be for ESEA reauthorization?

A: The Secretary is in the middle of a nationwide listening and learning tour to hear from parents, students, teachers and other educators about how ESEA is working and how best to reform our Nation's schools. Their views and many others will inform our thinking about reauthorization, and we look forward to working with the Committee on that.

Rep. Price

1. Some states and local education agencies have passed legislation or signed contracts that prevent teacher compensation systems from taking student performance into account. Under the Teacher Incentive Fund, does the Administration believe student achievement should be taken into account when designing performance-based compensation systems? Will these states and LEAs that do not include student performance as a factor be ineligible for Teacher Incentive Fund grants?

A: The appropriations language that authorizes the Teacher Incentive Fund requires that the teacher and principal compensation systems supported "consider gains in student academic achievement." Thus, a system that does not consider student achievement would not be eligible. We intend to give priority to comprehensive, aligned approaches that support improved teacher and principal effectiveness; ensure equitable distribution of educators; and that identify the best teachers to serve as leaders in their schools.

2. Recently, Randi Weingarten, President of the American Federation of Teachers (AFT), said that Federally-financed performance-based compensation grants be collectively bargained as part of the contracts. Will the Administration mandate such a requirement under the Teacher Incentive Fund? What about in non-bargaining states—will it apply?

A: Involving teachers in the design of differentiated compensation plans ensures that teachers contribute their expertise towards designing the best possible plan, leads to wider understanding and acceptance of the proposed plan, and results in more successful implementation of the plan. Thus, we believe that teachers and, in districts that have unions and collective bargaining agreements, union leaders, must be involved in developing the compensation plan supported through the Teacher Incentive Fund.

Rep. Souder

1. How does the Administration plan to stem the need for drug treatment in the future by eliminating prevention efforts such as the State Grants portion of the Safe and Drug Free Schools and Communities (SDFSC) program, one of the only prevention programs that exist in the federal government? Such cuts would decimate the school-based prevention infrastructures currently in place, leave the vast majority of our nation's schools and students with no drug and violence prevention programming at all, and provide large grants to a very small number of recipients that would not be sustainable over time. What do you plan to do to correct this?

A: The Administration has concluded that the necessarily limited Federal resources available to support school-based drug prevention efforts are best targeted as provided for in our FY 2010 budget. Based on the reviews of the State Grants program, evidence that demonstrates the program's effectiveness has not been identified, and we continue to believe that the program fails to target schools and students most needing help, and generally spreads funds too thinly at the local level to support quality interventions that are likely to produce significant outcomes. Funding the continuation of current infrastructures is not a wise investment if those infrastructures are not effective.

We believe that the Federal government has an important role to play in supporting the development of safe and drug-free learning environments for our stu-

dents, but that this work must be done in partnership with State and local authorities. Realistically, Federal funding alone will never be sufficient to address the range of activities and services needed to keep our students safe and drug free.

The Administration believes better results may be obtained by redirecting a portion of this funding to Safe and Drug Free Schools and Communities National Activities for direct support, in amounts sufficient to make a real difference, for targeted school safety and drug prevention and education activities that will add to the national knowledge base on program effectiveness and best practices.

2. I have heard that the Administration is committed to streamlining the FAFSA, a priority that I strongly endorse. As you know, the FAFSA currently contains a question about convictions for prior drug offenses, which is used to enforce the drug-free student loan law enacted by Congress with bipartisan support in 1998 [HEA Section 484(r)]. The purpose of this law is to act as a deterrent, so that when pressured to use drugs, college students can respond that they don't want to lose their student loans. Although even drug legalization groups have admitted that the question is the "only obvious mechanism for enforcing [the law]", in the past, there have been efforts to remove this question from the FAFSA, which would effectively kill the statute by drastically reducing awareness and significantly weakening its ability to deter drug use. Is the administration committed to maintaining the drug question on the FAFSA and continuing to enforce the drug-free student loan law?

A: We have reviewed each and every question on the form and are looking for ways to order the questions on the web-based form so that applicants—especially those applying for the first time—are not discouraged by the length and complexity of the form. Currently, applicants are asked whether they were convicted "for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid (such as grants, loans, or work-study)?" This question is confusing to anyone who has not been previously enrolled in postsecondary education or received federal financial aid. Therefore, we are proposing to revise the 2010-11 FAFSA-on-the-Web to not ask this question for first-time college students.

Rep. Thompson

1. The Administration has focused a lot of attention on immediate job training related to the current economic downturn. What is the Administration's plan for longer term career education and training to address the shortage in skilled labor the country will be facing as the baby boomer generation gets closer to retirement? We have known this has been coming for a while; what is going to be done?

A: We are dedicated to investing in career education and training and will continue to work with Congress to build and support innovative programs that will lead to more students completing degrees or certificates that provide the skills needed for good jobs in high-demand sectors of a regional economy.

2. I have read that you have recently been on the road and welcomed comment from rural schools and communities; I can say that representing a rural district just larger than the State of New Jersey, I appreciate your initiative. While you have only been in your position for a short period of time, can you provide me details on what initiatives your department is putting forth for rural education?

A: The Administration is looking at a lot of different issues that affect rural school districts and continues to expand outreach into rural communities as evident with the Rural Tour that the President has helped coordinate with his Cabinet. Recruiting and retaining teachers, community college investment, and broadband access are some of the common refrains that come from these forums and are concerns that the Department shares with its rural constituents.

The Rural Education Achievement Program (REAP) authorizes two programs to assist rural school districts in carrying out activities to help improve the quality of teaching and learning in their schools. The Small, Rural School Achievement program provides formula funds to rural school districts that serve small numbers of students, and the Rural and Low-Income School program provides funds to rural school districts that serve concentrations of poor students, regardless of the district's size. Funds appropriated for REAP are divided equally between these two programs. The Administration's budget request would maintain support for rural, often geographically isolated, districts that face significant challenges in implementing ESEA accountability requirements. The proposed notice for the Investing in Innovation Fund also proposes a competitive priority for those working to improve educational opportunities in rural communities, knowing that these communities face specific challenges.

Rep. Wilson

1. Will student debt increase for borrowers of Perkins Loans due to the accrual of interest from the origination of the loan as opposed to current policy when the student graduates?

A: Although the accrual of interest during the in-school period may increase a student's debt at the time of graduation, we hope most borrowers under the expanded Perkins Loan program will use the loans to replace private loans for which interest accrues during school at significantly higher interest rates than the fixed 5 percent available under Perkins, resulting in lower debt than they would have otherwise incurred.

2. Congress has specifically mandated through law that certain "high-need" professions are eligible for loan cancellation under the currently structured Perkins Loan program. Eligible individuals can apply for up to \$5000 of their Perkins Loan to be canceled in exchange for 5 years of public service. The Obama Administration is proposing to switch that to total loan forgiveness for 10 years of service AND 10 years of repayment. Do you have data that shows if it costs students more, the federal government more, or both to make that change?

A: The Administration's proposal would increase the size of the Perkins Loan program from \$1 billion to \$6 billion annually. Most individual borrowers—those who receive a loan as a result of the proposed expansion of the program—would be much better off under the Administration's proposal, as they could use their Perkins Loans to replace costly private loans that have no forgiveness or cancellation provisions. A relatively small number of borrowers—those who would have received a Perkins Loan in the absence of the Administration's proposal and who would have qualified for loan forgiveness under those provisions—would receive less generous benefits than those available under current law.

It is important to note that the College Cost Reduction and Access Act of 2007 created the Public Service Loan Forgiveness Program to encourage individuals to enter and continue to work full-time in public service jobs. These loan forgiveness provisions will be available to borrowers under the new Perkins Loan program and are broader than the targeted cancellations in the existing Perkins Loan program. Under this program, borrowers may qualify for forgiveness of the remaining balance due on their eligible Federal student loans after they have made 120 payments on those loans under certain repayment plans while employed full-time by certain public service employers. The borrower must be employed full-time (in any position) by a public service organization, or must be serving in a full-time AmeriCorps or Peace Corps position.

Rep. Altmire

1. In the U.S. Department of Education Budget Highlights, there is a focus on college completion which supports "\$2.5 billion for a new five-year Access and Completion Incentive Fund to support innovative State efforts to help low-income students succeed and complete their college education." As you are aware, there are presently in place TRIO programs that are designed to help low-income students succeed and complete their college education. These programs do a great job at accomplishing these goals-but the programs are severely underfunded. Would the Administration consider allocating a portion of this \$2.5 billion to expand existing and very successful TRIO programs so that we can expand programs that actually work while at the same time seeking out new and innovative programs?

A: The TRIO programs are designed to help improve college enrollment, retention, and completion rates, but do not provide a complete solution. The College Access and Completion Fund, on the other hand, is more comprehensive. Through this program, we hope to stimulate strategic initiatives by States and consortia of higher education institutions to systemically increase college access and completion rates far beyond current outcomes. In addition, there are a number of demonstrated and promising strategies developed by non-profits that should be considered for expansion in order to increase college access and completion rates.

2. One issue that arises from the President's budget proposal is that currently foreign schools are only eligible for the FFEL Program. Will the President's legislative proposal ensure that foreign schools also be made eligible for the Direct Loan Program and that appropriate steps are taken to ensure that they are able to participate on behalf of their American students?

A: Section 211 of HR 3221 makes students and parents of students attending institutions located outside the United States eligible for the Direct Loan Program.

Rep. Courtney

1. Does ARRA require states to adopt their 2010 budgets before becoming eligible to receive funding?

A: No, a State does not have to adopt a 2010 budget to receive funding under the State Fiscal Stabilization Fund (SFSF) program. In the Application for Initial Funding under the SFSF program, the Department indicated that a State could provide projected levels of State support for elementary and secondary education and public institutions of higher education. The Department further noted that the projected levels could be based on such data as the Governor's budget request or preliminary budget or appropriations legislation.

2. In your testimony you stated that states that show progress in meeting the goals ("the four pillars") of the SFSF will be able to qualify for the Race to the Top funding. Is it correct to assume that states who are dilatory in applying for SFSF and demonstrating compliance with SFSF's goals will suffer in the competitive grant process set forth in Race to the Top?

A: The Race to the Top's Final Notice/Invitation for Applications includes two eligibility requirements, one of which is that a State's application for funding under Phase 1 and Phase 2 of the SFSF must be approved by the Department prior to the State being awarded a Race to the Top grant. The Final Notice also includes an Absolute Priority (meaning that an application must meet this priority to receive funds) for applications that comprehensively and coherently address all of the four education reform areas specified in the ARRA as well as the State Success Factors Criteria in order to demonstrate that the State and its participating LEAs are taking a systemic approach to education reform. The State must demonstrate in its application sufficient LEA participation and commitment to successfully implement and achieve the goals in its plans; and it must describe how the State, in collaboration with its participating LEAs, will use Race to the Top and other funds to increase student achievement, decrease the achievement gaps across student subgroups, and increase the rates at which students graduate from high school prepared for college and careers.

3. Can SFSF be used to supplant state fiscal year 2009 expenditures within the state budget?

A: While there is nothing in the statute specifically prohibiting a State from using SFSF funds to supplant State expenditures, we believe that just as the Federal Government has taken serious steps to help save jobs and drive reforms, each State has an obligation to abide by the spirit of the law and play its part in spurring today's economy and protecting our children's education. We expect that States, local school districts, and colleges and universities will use Stabilization funds to avert layoffs and cuts to essential public services, and implement the education reforms highlighted in the ARRA. The funds should not be used to reduce State support for elementary, secondary, and postsecondary education. In addition, a State must maintain State support for elementary and secondary education and public institutions of higher education in each of fiscal years (FYs) 2009, 2010, 2011, at least at the level that the State provided in FY 2006.

4. Is there a way a state can account for state fiscal stabilization funds as non-federal funds? If so, how can a state apply for permission to do that? It appears that this is possible under section 14012 (d) of the ARRA.

A: The statute does provide the Department with the authority to give prior approval to enable a State to treat Stabilization funds that are used for elementary, secondary, or postsecondary education as non-Federal funds for the purpose of any requirement to maintain fiscal effort under any other program that the Department administers. To receive such approval, however, a State first must demonstrate that it has not disproportionately reduced support for education. If a State did reduce the proportion of total State revenues spent on education, we will consider whether there were any exceptional or uncontrollable circumstances contributing to the year-to-year decreases, the extent of the decline in available financial resources, and any changes in demand for services. In addition, the State must be able to demonstrate that the portion of its Stabilization funds that it seeks to treat as non-Federal funds to meet the MOE requirements of other Federal programs was spent in such a manner that had the Stabilization funds been non-Federal funds, the Stabilization funds would have been permitted to be used in determining the State's or LEA's compliance with the MOE requirement of that other program. We also want to note that the receipt of such approval does not reduce the level of effort required by the State in the following fiscal year.

5. Does the ARRA allow use of state fiscal stabilization funds to supplant current education expenditures at the local level to achieve the Maintenance of Effort for additional Title I and IDEA funds? If so, how can localities apply for permission to do so?

A: As with States, a local educational agency (LEA) may, with prior approval, treat Stabilization funds as non-Federal funds for the purpose of any requirement to maintain fiscal effort under any other program that the Department administers.

Also, as with States, we will be concerned if an LEA reduces the proportion of total revenues that are spent on education, and will take that into consideration in deciding whether to allow a State or LEA to treat Stabilization funds as non-Federal funds for MOE purposes of other Federal programs.

Rep. Grijalva

1. Given that Latino students are a significant and rapidly growing segment of the student population, are there plans to make a stronger effort to appoint Latinos and Latinas to positions in the Department of Education?

A: The Department and the Administration are committed to promoting a workforce with diverse backgrounds and we recognize the need for senior staff to understand the issues facing the growing Latino student population.

2. After seeing the Recovery Act and the President's FY10 budget, the Hispanic community has been concerned that the new administration has not prioritized English language learners, or the Latino student population. How does the President's education agenda specifically plan on addressing the needs of Latino and ELL students?

A: In addition to Title III of the ESEA, which is the major elementary and secondary education program for ELL students, the budget provides significant increases in school improvement grants and a high school graduation initiative. Both of these proposals aim to assist in turning around low-performing schools. Many of the schools targeted by these funds are schools that low-income and Latino students attend. Using these funds and working with States, school districts, communities and parents, we can make a difference for Latino students. The Department's Office for Civil Rights also will vigorously enforce long-standing policy under Title VI of the Civil Rights Act of 1964 to ensure that limited English proficient children receive equal educational opportunities. The budget also provides significant increases for the High School Equivalency Program, the College Assistance Migrant Program, the English Literacy and Civics Education program, and the Adult Education State Grants program, all of which serve Latino and ELL populations.

3. The President's budget proposed to eliminate the Even Start Family Literacy program. If funding for this program is eliminated, this will affect 59,000 parents and children struggling with illiteracy and poverty, more than half (53%) of whom are Latino. How will the President's education agenda ensure that families, particularly Latino families who have low literacy levels, have access to essential services, like those provided by the Even Start program? (GED, ESL classes for adults and early learning programs for young children)

A: The Administration is committed to funding high-quality services for limited English proficient children and their parents, and has demonstrated this commitment throughout the budget. For example, the Administration believes that children need and deserve exposure to English language and literacy-rich environments prior to entering kindergarten and has requested almost \$1 billion for early childhood programs at the Department of Education. That request includes \$500 million for the new Title I Early Childhood Grants and \$162.5 million for Early Reading First, in addition to over \$7.2 billion in funding for Head Start at the Department of Health and Human Services. The Administration greatly appreciates the inclusion of the \$8 billion for the Early Learning Challenge Fund in HR 3221, which along with of these other large investments in early childhood programs will benefit Latino children. In addition, the Administration requested \$730 million for the English Language Acquisition State Grants program to support the Department's commitment to supporting the needs of children and youth who are English language learners. Further, the Department has requested over \$628 million for Adult Basic and Literacy Education State Grants, a \$74 million increase, to support English literacy, adult basic education, and family literacy services, and a \$2.5 million increase for the HEP and CAMP programs.

We believe that Latino and other families deserve higher-quality services that will help them to develop the skills they need to be successful. Based on the results of three national evaluations, we believe that Even Start is not delivering those results. The most recent evaluation concluded that, while Even Start participants made small gains, they did not perform better than the comparison group that did not receive Even Start services. As a result, the Administration has chosen to direct the resources to other efforts that would better address the needs of children and families.

4. The President has proposed State Early Learning Challenge Grants to improve the quality of early care and education systems, as a major part of his education platform. Less than half, or 43%, of Hispanic children ages zero-to-three attend a center-based early care and education (ECE) program, compared to 66% of Black children and 59% of White children. How will these grants be structured to ensure

that 1) Latino students have more access to these programs, and 2) be designed to meet the unique needs of young English language learners and their families?

A: We will ensure that the needs of all students including Latinos and other English Language Learners are addressed in the implementation of the Early Learning Challenge Fund. We look forward to working with Congress on any input you or others may have.

5. Latinos are the fastest-growing segment of the U.S. student population and represent the future of the U.S. workforce. The passage of the "DREAM Act" will increase educational attainment among Latinos in the United States, affording them adequate preparation for work. In turn, the nation's economy will thrive. Is the "DREAM Act" an immediate priority for the new administration?

A: The Administration supports the DREAM Act.

6. Farm worker, migrant, and seasonal worker students are some of the most disadvantaged and at-risk students in the country. They have one of the highest drop-out rates and encounter tremendous obstacles in completing high school and pursuing higher education. The High School Equivalency Program (HEP) and the College Assistance Migrant Program (CAMP) have been successful in helping to close the access and completion gaps for many low-income, minority farm worker migrant and seasonal worker students. After years of level funding and the loss of 20 HEP/CAMP programs since 2004, I was pleased that the President proposed a \$2.5 million increase for the HEP/CAMP program from \$34.16 million in FY 2009 to \$36.61 million for FY 2010. The Higher Education Opportunity Act (HEOA) recognized the importance of the HEP/CAMP program by increasing its authorization level \$75 million. Can we expect the Administration's continued support of the HEP/CAMP program in the form of increased funding proposals in the future?

A: We were very pleased to request an increase for the High School Equivalency (HEP) and College Assistance Migrant Program (CAMP). We agree that these programs provide important support for helping individuals from migrant populations to receive their GED credential and to complete their first year of postsecondary education, and we will consider their needs as we set priorities for our future budget requests.

The Administration's fiscal year 2010 budget request also provided \$905 million for Federal TRIO programs and \$628 million for Adult Education State grants, an increase of \$74 million for that program, to help these populations.

7. The President has also proposed a drop-out prevention initiative that promises innovation and targets those schools with the highest drop-out rates. How is this initiative different from the Bush Administration's drop-out prevention initiative under NCLB? What role will community-based organizations have in this initiative?

A: The proposed High School Graduation Initiative would provide assistance to help schools implement comprehensive efforts to increase high school graduation rates. The program would award 5-year grants to local educational agencies (LEAs) that propose comprehensive approaches that focus on at least a cluster of 3 to 5 schools and address the obstacles that impede students' ability to graduate. LEAs would implement plans that reflect community-based needs assessments and include a plan for ensuring program sustainability. Grantee plans would also identify how many students will likely need additional support to graduate, how many drop-outs leave school a few versus many credits shy of graduation, and how many students graduate unprepared for success in college or the workforce. Activities carried out with grant funds might include monitoring early warning indicators that a student is at risk of dropping out. Such early warning systems might: (1) focus on the needs of students transitioning from middle school to high school; (2) use identifiers such as low attendance rates, entering ninth grade with achievement scores more than three years behind in a core subject area, failing one or more core courses during middle school or ninth grade, repeating ninth grade, or being over-age and under-credited during ninth or tenth grade; and (3) begin before middle school. Early warning systems would seek to effectively identify those students at risk of not graduating on time and would provide schools and LEAs with the information necessary to target interventions of the type and level necessary to support students' on-time graduation. Comprehensive prevention and reentry plans might include, among other things: (1) a focus on the needs of students transitioning from middle to high school, (2) alternative scheduling options, (3) alternative programs that address both stable (e.g., family income, neighborhood) and alterable (e.g., attendance, motivation, grade level) characteristics, (4) partnerships with community organizations to provide support services, and (5) small learning communities. Comprehensive plans for over-age, under-credited, or reentry students might also, among other things, eliminate seat requirements, provide competency- or proficiency-based credits mapped against State graduation requirements, and allow for accelerated learning opportunities. This approach, which requires a comprehensive and coordi-

nated community strategy, also allows considerable local flexibility and reflects the complexity of the dropout problem, for which there is no “silver-bullet” solution. We expect that community-based organizations will play an important role in all of the projects funded by the proposed High School Graduation Initiative.

8. No plan to address the high school dropout crisis will be effective without an adequate middle grade intervention to aid the most troubled feeder middle schools and elementary schools of the most troubled high schools. In what way will the high school reform proposals include the middle grades?

A: Struggling schools, including middle schools, have had difficulty turning around in large part because of a lack of resources. The Department’s proposal to provide \$1.5 billion for School Improvement Grants (a \$1 billion increase from last year)—as well as the \$3 billion for such grants in the Recovery Act—will help those schools move past simply being labeled as needing improvement and provide them with the resources they need to implement effective reforms and raise student achievement. LEAs should also have the flexibility to direct limited funds and other assistance to their schools that have the most need and would most benefit from turn-around efforts. Specifically, the Department’s FY 2010 budget would focus 40 percent of the FY 2010 School Improvement Grants on dropout factories and their feeder middle schools, which will focus funds more precisely on the schools with the greatest need.

9. I am concerned about the problem of bullying faced by students, including lesbian, gay, bisexual and transgender students in the country. What action is the Department of Education taking to address bullying in the nation’s schools?

A: We share your concern about the potentially terrible impact of bullying and harassing behavior on students, whether or not the behavior focuses on sexual orientation, gender, gender identity, religion, race, ethnicity, language background, or any of the other issues that bullies use to intimidate their targets. Bullying and harassment prevent young people from focusing on their studies and thereby disrupt the learning process; as such, they are an education issue of the highest priority for our Administration. We believe that schools must provide safe, disciplined, and nurturing environments for all of their students and establish school climates that are conducive to learning and healthy youth development.

A new initiative concerning school culture and climate included in the President’s fiscal year (FY) 2010 budget request would be designed to support efforts to address problems related to disruption and disorder in schools, as well as to assist schools that are experiencing serious violent and criminal behavior. The budget requests \$100 million in FY 2010 for new grants to encourage the use of research-based interventions as well as the involvement of partners from the community, including representatives from law enforcement, juvenile justice, and public mental health systems that also frequently interact with troubled students. We expect that applicants would propose strategies to reduce bullying and harassing behaviors, as well as to provide needed supports for victims, as well as bullies, that can then be used as models for other districts.

We look forward to the opportunity to develop and implement this new initiative, but also want to share information with you about other relevant activities. For example, some existing Department of Education programs, such as the Safe Schools/Healthy Students initiative (implemented in conjunction with the Departments of Health and Human Services (HHS) and Justice), also provide for bullying prevention efforts in schools and communities. We have also provided support for the development and implementation of an anti-bullying initiative sponsored by the Health Resources and Services Administration (HRSA), part of HHS. The initiative includes the development of materials and technical assistance for children and adult audiences, and includes some materials that specifically address bullying and harassment of lesbian, gay, bisexual and transgender youth. Information about the “Stop Bullying Now” campaign has been broadly disseminated and is available online at: <http://www.stopbullyingnow.hrsa.gov/kids/>.

The Department’s Office for Civil Rights also plays an important role in combating bullying and sexual harassment through its enforcement of Title IX of the Education Amendments of 1972 (Title IX). Since Title IX protects a person from sex discrimination, both male and female students are protected from sexual harassment engaged in by a school’s employees, other students, or third parties. Although Title IX does not prohibit discrimination on the basis of sexual orientation, it protects gay and lesbian students from sexual harassment as it does all other students. As part of the Department’s enforcement of Title IX, we will provide guidance and technical assistance to ensure that districts and postsecondary institutions understand their responsibilities to prevent and end sex-based harassment regardless of the real or perceived sexual orientation of the victim.

While many students who are the victims of bullying and harassing behavior are able to continue to function in spite of the pain inflicted by bullies, in some cases the intensity of the harassment, lack of family or other support, or fragility of a student can result in the kind of tragedies identified in your question. Schools also play an important role in preventing adolescent suicides. Our colleagues at the Substance Abuse and Mental Health Services Administration (SAMHSA), part of HHS, are implementing a variety of activities designed to assist schools and communities in understanding and preventing this tragic behavior, including operating a technical assistance center that develops training and technical assistance materials and activities that focus on the most up-to-date information about effective suicide prevention efforts. Details about these efforts and the valuable services that are providing to help reduce the incidence of youth suicide are available online at: <http://www.sprc.org/about—sprc/about—site.asp>.

Rep. Hare

1. In the Administration's education budget proposal, there seems to be a policy shift away from formula grants (cuts to Title I, Part A and Education Technology and the elimination of Safe and Drug Free Schools State grants) to competitive grants (new Title I Early Childhood Grants, the High School Graduation Initiative, new monies for national programs under Safe and Drug Free Schools). I am afraid that this shift will represent a loss of funding to rural school districts that do not have the resources to apply for competitive grants. What steps is your department going to take to ensure that rural school districts are equitably funded, especially under the President's new proposals?

A: We do not anticipate that the proposed funding shifts would have a negative impact on rural districts. In the past, under our large competitive grant programs, we have typically seen a fairly equitable distribution in the mix of urban, suburban, and rural grantees. In response to concerns such as yours, we have analyzed the mix of recipients and haven't found that rural districts are disadvantaged.

We will continue to work with Congress and the States to ensure that all types of LEAs have an equitable opportunity to receive support under the President's initiatives.

2. As a policy, Congress targets dollars under Title I to concentrations of poverty under the argument that it is harder to serve large groups of poor students. However, under the Title I funding formula, we define concentrations of poverty as percentages or numbers, whichever is higher. This results in larger less poor school districts getting more money per poor child than smaller, higher-poverty school districts. What recommendations would you make to instill a greater sense of equity when funding children in poverty?

A: The Secretary is in the midst of a listening and learning tour to seek input and begin framing issues for the upcoming reauthorization of the Elementary and Secondary Education Act (ESEA), but we are not yet ready to make specific recommendations on changes to ESEA. We look forward to working with Congress on that effort.

3. Mr. Secretary, soon I will reintroduce the Positive Behavior for Effective Schools Act, which opens up federal resources to school districts that want to establish or expand the use of PBIS (Positive Behavior Interventions and Supports) and provides teachers with training to effectively manage classrooms using PBIS strategies. As you may know, President Obama introduced this same bill in the Senate. Do you support this legislation and if so, is the administration committed to making this a priority?

A: Positive Behavior Interventions and Supports (PBIS) is an important preventative approach that can increase the capacity of the school staff to support children with the most complex behavioral needs, thus reducing the instances that require intensive interventions. We share your support for strategies that assist teachers to effectively manage their classrooms. These strategies provide an opportunity for teachers and students to concentrate on learning and not to be distracted by frequent conduct and behavior problems, and also often help identify individual teachers who need to improve their classroom management skills as well as individual students who may require learning supports more significant than those can be readily provided in the classroom.

We encourage schools to think comprehensively about the kinds of strategies that they need to implement in order to establish safe and nurturing learning environments for all students. A new initiative concerning school culture and climate included in the President's fiscal year (FY) 2010 budget request is designed to support those kinds of comprehensive efforts to address problems related to significant levels of disruption and disorder in schools, as well as to assist schools that are experiencing serious violent and criminal behavior. The budget requests \$100 million in

FY 2010 for new grants to school districts experiencing the most significant problems. The program will encourage the use of research-based interventions as well as the involvement of partners from the community, including representatives from law enforcement, juvenile justice, and public mental health systems that also frequently interact with troubled students. We expect that applicants will propose strategies to improve student behavior, including classroom management strategies for teachers, as well as a broader range of interventions designed to improve school climate and culture. The Department also funds the Center on Positive Behavioral Interventions and Supports.

Rep. Hirono

1. According to 2006 data, there are three dropout factories in my district and five total in the state of Hawaii. I share your concern about low performing schools and want to know how best to help them. I recognize that dropout factories are not just a high school problem, as there are other factors in the elementary and middle school years affecting what happens to students in high school. When states submit applications for ARRA grants, including for State Fiscal Stabilization Funds and Race to the Top funds, how does the Department of Education plan to evaluate state applications with respect to dropout factories? How specific will your actions be in pushing states to address the problem of dropout factories?

A: The President and the Department are committed to increasing the number of students who graduate from high school prepared for the challenges of work and postsecondary education. To support that goal, the Administration has requested in its fiscal year 2010 budget request \$50 million for a High School Graduation Initiative. The Initiative would support innovative efforts to drive better high school graduation rates through prevention and reentry systems for students at risk of not graduating. In addition, the ARRA provided \$3 billion for School Improvement Grants. The final requirements for School Improvement Grants emphasize the use of these funds in a State's persistently lowest-achieving schools, to ensure that limited Federal funds go to the schools in which they are most needed. The definition of persistently lowest-achieving schools includes high schools with graduation rates below 60 percent over a number of years.

States are not required to address specifically "dropout factories" in their applications for funding under the State Fiscal Stabilization Fund program. However, States will be required to publicly identify their lowest performing Title I eligible high schools and assure that it will take steps to, among other things, provide targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring.

With regard to the Race to the Top program, the application includes an Absolute Priority (meaning that an application must meet this priority to receive funds) for applications that comprehensively and coherently address all of the four education reform areas specified in the ARRA as well as the State Success Factors Criteria in order to demonstrate that the State and its participating LEAs are taking a systemic approach to education reform. The State must demonstrate in its application sufficient LEA participation and commitment to successfully implement and achieve the goals in its plans; and it must describe how the State, in collaboration with its participating LEAs, will use Race to the Top and other funds to increase student achievement, decrease the achievement gaps across student subgroups, and increase the rates at which students graduate from high school prepared for college and careers. Under Race to the Top, a State will earn points for the extent to which it has demonstrated its ability to increase high school graduation rates, as well as for the extent to which it has the authority to intervene directly in the persistently lowest-achieving schools (which include high schools with graduation rates of less than 60 percent) and for the extent to which its application includes a high-quality plan to identify such schools and support LEAs in turning them around by implementing one of four school intervention models.

2. There are critical times in a child's development when positive intervention makes a real difference. We know that one of these times where resources matter is the preschool years. I have a bill, the PRE-K Act (H.R. 702) that would create a grant program to support states' efforts in providing high quality early education. What, in your view, are the other critical years when attention and resources would make a difference? Do the President's programmatic and funding requests reflect this approach of investing in the critical points in a child's development?

A: The Administration believes that each year of a child's life, including birth through age five, is crucial to their success in school and beyond. The Administration outlined five pillars for reforming our education system that are guiding both the implementation of the American Recovery and Reinvestment Act and the President's fiscal year 2010 budget request for the Department of Education. The first

pillar is investing in early childhood education and expanding access to quality childcare. The second is challenging States to adopt world-class college- and career-ready academic standards and assessments. The third is to recruit, prepare, and reward effective teachers. The fourth is promoting innovation and excellence in America's schools by expanding charter schools, extending learning time, and turning around low-performing schools. The fifth is increasing the number of people pursuing higher education and earning a postsecondary degree or certificate. These pillars reflect that the Administration is committed to supporting our children and youth beginning at birth and continuing through adulthood.

In the FY 2010 budget, the Administration proposed the following new investments that would support our youngest children (from birth through age 5):

- \$500 million for a new Title I Early Childhood Grants program to help jumpstart expanded investment of ESEA Title I, Part A funds in early childhood education.
- \$300 million for a new Early Learning Challenge Fund that would provide competitive grants to States to develop and/or refine their statewide early learning systems for children from birth through age five.
- \$10 million for the Promise Neighborhoods initiative to provide 1-year planning grants to non-profit, community-based organizations to develop plans for comprehensive neighborhood programs that provide the necessary support for children and youth from birth through college so that they may succeed in school and beyond.
- \$162.5 million for Early Reading First, an increase of \$50 million to expand support for high-quality, research-based early literacy services for preschool children.

The Administration also greatly appreciates the \$8 billion in HR 3221 for the Early Learning Challenge Fund.

Rep. Holt

1. Under the ARRA you have a \$4.35 billion Race to the Top Fund, what plans do you have to use that fund to improve STEM and foreign language education?

A: States that include in their Race to the Top application a high-quality plan to emphasize science, technology, engineering and mathematics (STEM) education will receive a competitive preference. The Race to the Top application also provides for an Invitational Priority for applications in which the State's participating LEAs seek to create the conditions for reform and innovation as well as the conditions for learning by providing schools with flexibility and autonomy in various areas, including implementing new structures and formats for the school day or year that result in increased learning time in core academic subjects, including foreign languages. The Final Notice/Invitation for Applications on Race to the Top can be found at <http://www.ed.gov/programs/racetothetop/final-priorities.pdf>, and an executive summary can be found at <http://www.ed.gov/programs/racetothetop/executive-summary.pdf>.

2. While science is being tested, only reading and mathematics assessments are currently counted in AYP. What are your views on the inclusion of science in AYP?

A: We are still in the process of getting feedback from a multitude of stakeholders regarding the ESEA reauthorization. The Secretary is in the middle of a listening and learning tour to gain input from students, teachers, principals, administrators, parents, and others who are at the ground level about what needs to be done to reform our education system. We recognize the importance of standards in science, but how we can best implement them is still being discussed and considered.

3. Given your statement that "science education is central to our broad effort to restore American leadership in Education worldwide" will you work to increase funding for the Mathematics and Science partnerships program and restore it to its pre NCLB funding levels?

A: The Mathematics and Science Partnerships program was first funded in 2002 at \$12.5 million. It has been funded at \$179 million since 2008. We believe that this is an appropriate level of funding for the program in FY 2010 to continue to help prepare American students to compete in the global, high-tech economy.

4. The reauthorization of the Higher Education Act established a Deputy Assistant Secretary for International and Foreign Language Education, will you elevate this to a full Assistant Secretary position under the authority you have?

A: As you know, Andre Lewis has been appointed as the Deputy Assistant Secretary for International and Foreign Language Education. The Administration is committed to ensuring that students are prepared to compete in the global economy and participate in the international community. The Department is currently undertaking a review of all Department programs related to foreign languages and international issues and projects.

Once that review has been completed, the Secretary will determine whether any reorganization or personnel changes are needed.

5. What plans do you have to improve foreign language instruction in elementary schools, and what foreign language reforms would you want to see included in ESEA reauthorization?

A: Increasing the number of elementary school students learning foreign languages is critical to our international competitiveness. A 2002 survey of large U.S. corporations found that nearly 30 percent failed to fully exploit international business opportunities due to a lack of employees with foreign language skills. Also, data from the National Security Education Program and the American Council of Teachers of Russian show that the median speaking proficiency of American college graduates, before study abroad, in five languages critical to national security (Arabic, Chinese, Japanese, Korean and Russian) is 1 on a scale of 5. As Superintendent of the Chicago Public Schools, the Secretary included \$1 million in the fiscal year 2009 budget to expand the teaching of Arabic, Chinese and Russian to kindergarten through high school students. The Department of Education's fiscal year 2010 budget request of \$26.3 million for the Foreign Language Assistance program would maintain the previous year's increase for grants to LEAs, States, and partnerships of LEAs and institutions of higher education to increase the quality and quantity of foreign language instruction in the United States. We would be pleased to work with you and other members of the Committee during the reauthorization of the Elementary and Secondary Education Act on this issue.

Rep. McCarthy

1. What is going to be the new name for the No Child Left Behind Law?

A: As you may know, the Secretary is in the middle of a Listening and Learning Tour, and has been seeking input for the upcoming reauthorization of the Elementary and Secondary Education Act (ESEA), and is open to suggestions.

2. Why does the department think it is a good idea to zero out the State grants for Safe and Drug Free Schools (SDFS) and transfer a portion of that funding to the national programs?

A: The overall purpose of the SDFSC programs is an important one. However, the SDFSC State Grant program has not been shown to be effective, does not adequately target schools most needing help, and generally spreads funds too thinly at the local level to support quality interventions.

By comparison, SDFSC National Programs does not have these design flaws and limitations and is better structured to support targeted, high-quality interventions. Accordingly, the Administration proposes to redirect \$100 million from the SDFSC State Grant program to SDFSC National Programs in order to fund direct grants to local educational agencies (LEAs), or to other organizations in partnership with LEAs, to support new approaches to assisting schools in fostering a safe and drug-free learning environment, particularly by using approaches designed to change school culture and climate and thereby improve character and discipline and reduce drug use, crime, and violence. The President's 2010 budget also includes an additional \$183.6 million for SDFSC National Programs, most of which is for direct grant assistance to LEAs for drug and violence prevention or for emergency preparedness activities.

3. If the Department believes that the SDFS state grant program is indeed ineffective and the SDFS National Programs are considered effective, why would the Administration not transfer all of the \$295 million currently in the SDFS state grant budget to National Programs instead of creating a net reduction of \$184 million dollar for school safety?

A: The President's 2010 budget provides significant resources to school districts to support these efforts through national programs. Equally important, in addition to providing direct support to LEAs for school safety and drug and violence prevention projects in sufficient amounts to make a real difference for students at the local level, most funds requested for SDFSC National Programs would support projects that are structured in a manner that permits grantees and independent evaluators to measure progress and add to the knowledge base on program effectiveness and best practices, which ultimately can serve to benefit all school districts.

4. We have seen funding drop from \$650 million for SDFS at the time of the Columbine shootings and to the current \$295 million over the past decade. Furthermore, we do not have accurate data on incidents that occur in schools and that the only national data we have on school violence comes from the surveys found in the indicators report. Without good information we cannot help schools that need it the most. That is why I have introduced the SAVE Act. What are the Department's long-term plans for keeping our students safe?

A: We envision a Federal role that incorporates several components. First, we think that we should support activities including research, evaluation, and data collection that are national in scope or otherwise unlikely to be supported by States and localities. These kinds of activities form the basis for an improved understanding of the challenges involved in creating safe and healthy learning environments, as well as for developing and refining our knowledge about the most effective approaches to meeting these challenges. Our sustained support for two significant national data collections about school violence, and a rigorous evaluation of a middle school violence prevention intervention, is an example of these kinds of investments.

We should also play a leadership role in developing or testing approaches and strategies designed to reduce youth violence, create school climates that support learning, and enhance the capacity of schools to prepare for and respond to the wide range of crisis situations that they may face. Support for these kinds of demonstration activities helps expand the quantity and quality of effective solutions for these problems, and maintains an appropriate focus on making the best possible investments with the limited resources that are available.

We also carry out an important responsibility to disseminate widely and effectively information about data and results of research and evaluation activities to be sure school officials around the Nation have easy access to the most up-to-date information about how to develop and maintain safe and secure schools that support academic achievement and are prepared to respond to a variety of hazards and challenges.

Finally, we must also be ready to provide support for direct services to those school districts that are experiencing the most severe and chronic problems in providing safe and secure learning environments. For a variety of reasons, many of which are outside of the immediate control of school officials, some districts experience unusually high levels of disruption and disorder, as well as violent and criminal activity. In these instances, we hope to focus our limited funding resources on sites with high-quality plans to address these problems.

The new initiative concerning school culture and climate included in the President's fiscal year (FY) 2010 budget request represents this final prong of our strategy. The initiative is designed to support efforts to address problems related to significant levels of disruption and disorder in schools, as well as to assist schools that are experiencing serious violent and criminal behavior. The budget requests \$100 million in FY 2010 for new grants to school districts experiencing the most significant problems. The program will encourage the use of research-based interventions as well as the involvement of partners from the community, including representatives from law enforcement, juvenile justice, and public mental health systems that also frequently interact with troubled students.

5. In March 2007, I sent the Department a letter (attached hereto) outlining my concerns that the Office of Safe and Drug Free Schools has not been collecting and does not possess data as required under ESEA Section 4141 which reauthorized the Gun Free Schools Act (GFSA). Specifically, States are required to report to the Secretary a description of circumstances surrounding any expulsions including the name of the school concerned, the number of students expelled, and the type of firearms involved. We have an obligation to keep America's schools gun free. The goal of this measure was to remove firearms from all public schools in the United States by requiring schools districts receiving federal funds to adopt a gun-free school policy and expel for one year students who carry a gun to school. As lawmakers and concerned parents, in order to know whether the goals of the law are being met it is critical to have accurate and available data collected as required by the law. In November 2007, eight months after my letter was sent, I received a response from the Department (attached hereto). It said, in part, "We acknowledge that a series of school shootings that have occurred during the past decade have heightened the public's concern about school safety and the presence of firearms and other weapons in schools. Based on the changing climate since the Department's initial implementation of GFSA reporting requirements, our review of the GFSA and your request, we will initiate the steps necessary to begin to collect information from States about the names of schools where a student was found to have brought a firearm from school." Can you please advise the status of these steps? Is the Department collecting this information? If yes, where might I find the information?

A: We have begun to explore modifications in the data collection instrument and existing clearance for Gun-Free Schools Act information, but have encountered an additional issue that potentially affects our ability to collect and report information about the names of schools where students have been found to have brought a firearm to school. As you may know, the Federal Education Rights and Privacy Act (FERPA) regulations recently underwent significant revisions. The Department issued final regulations on December 9 that include revisions designed to help edu-

cational agencies and institutions better understand and administer FERPA's requirements and to make important changes related to school safety, access to education data for research and accountability, and safeguarding education records.

At this time, we are determining how or if these revisions affect our ability to report data concerning the names of school where a student was found to have brought a firearm to school. Previously, the definition of "personally identifiable information" in the FERPA regulations included a reference to "other information that would make the student's identity easily traceable". That phrase was removed because it is ambiguous. Instead, the revised definition of the term "personally identifiable information" in the final regulations includes "other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty." In addition the revised definition prevents a school from disclosing information, even in redacted form, that is requested by a party if the school reasonably believes the party knows the identity of the student to whom the record relates. We believe that these changes will make it easier for affected educational agencies and institutions to determine whether information is personally identifiable, and, consequently, whether it may be released without consent.

Until we are able to reach a determination about whether or not release of Gun-Free Schools Act data concerning the names of schools where students have been found to have brought a firearm to school could fall within the scope of the revised definition of personally identifiable information, we cannot make final decisions on the steps necessary to request data about school names. We continue to collect data about the number of expulsions and types of firearms as required by the Gun-Free Schools Act, as well as information about building type (elementary or secondary schools), the disability status of students expelled, and availability of continuing education services for students expelled under the Gun-Free Schools Act, but are also considering whether or not any of this data could be considered personally identifiable information.

6. As you know, two middle school students—Carl Walker-Hoover of Springfield, MA and Jaheem Harrera of DeKalb County, GA—committed suicide within the past month and a half because of anti-gay bullying and harassment. What steps is the Education Department taking to provide states, local districts and schools with the guidance and resources they need to prevent this type of bullying and harassment, and to intervene when it occurs?

A: We share your concern about the potentially terrible impact of bullying and harassing behavior on students, whether or not the behavior focuses on sexual orientation, gender, gender identity, religion, race, ethnicity, language background or any of the other issues that bullies use to intimidate their targets. Bullying and harassment prevent young people from focusing on their studies and thereby disrupt the learning process; as such, they are an education issue of the highest priority for our Administration. We believe that schools must provide safe, disciplined, and nurturing environments for all of their students and establish school climates that are conducive to learning and healthy youth development.

A new initiative concerning school culture and climate included in the President's FY 2010 budget request is designed to support efforts to address problems related to disruption and disorder in schools, as well as to assist schools that are experiencing serious violent and criminal behavior. The budget requests \$100 million in FY 2010 for new grants to encourage the use of research-based interventions as well as the involvement of partners from the community, including representatives from law enforcement, juvenile justice, and public mental health systems that also frequently interact with troubled students. We expect that applicants will propose strategies to reduce bullying and harassing behaviors, as well as to provide needed supports for victims, as well as bullies, that can then be used as models for other districts.

We look forward to the opportunity to develop and implement this new initiative, but also want to share information with you about other relevant activities. For example, some existing Department of Education programs, such as the Safe Schools/Healthy Students initiative (implemented in conjunction with the Departments of Health and Human Services (HHS) and Justice), also provide for bullying prevention efforts in schools and communities. We have also provided support for the development and implementation of an anti-bullying initiative sponsored by the Health Resources and Services Administration (HRSA), part of HHS. The initiative includes the development of materials and technical assistance for children and adult audiences, and includes some materials that specifically address bullying and harassment of lesbian, gay, bisexual and transgender youth. Information about the

“Stop Bullying Now” campaign has been broadly disseminated and is available online at: <http://www.stopbullyingnow.hrsa.gov/kids/>.

The Department’s Office for Civil Rights also plays an important role in combating bullying and sexual harassment through its enforcement of Title IX of the Education Amendments of 1972 (Title IX). Since Title IX protects a “person” from sex discrimination, both male and female students are protected from sexual harassment engaged in by a school’s employees, other students, or third parties. Although Title IX does not prohibit discrimination on the basis of sexual orientation, it protects gay and lesbian students from sexual harassment as it does all other students. As part of the Department’s enforcement of Title IX, we will provide guidance and technical assistance to ensure that districts and postsecondary institutions understand their responsibilities to prevent and end sex-based harassment regardless of the real or perceived sexual orientation of the victim.

While many students who are the victims of bullying and harassing behavior are able to continue to function in spite of the pain inflicted by bullies, in some cases the intensity of the harassment, lack of family or other support, or fragility of a student can result in the kind of tragedies identified in your question. Schools also play an important role in preventing adolescent suicides. Our colleagues at the Substance Abuse and Mental Health Services Administration (SAMHSA), part of HHS, are implementing a variety of activities designed to assist schools and communities in understanding and preventing this tragic behavior. For example, they operate a technical assistance center that develops training and technical assistance materials and activities that focus on the most up-to-date information about effective suicide prevention efforts. Details about these efforts and the valuable services that they are providing to help reduce the incidence of youth suicide are available online at: <http://www.sprc.org/about—sprc/about—site.asp>.

7. Mr. Secretary, I am concerned that Administration’s budget eliminates funding for a program that has produced tremendous results for New York teachers, Ready to Teach. Ready to Teach funds VITAL, an initiative spearheaded by my local public television station, Thirteen/WNET, that leverages public television’s high-quality educational programming to create standards-aligned digital content for classroom use. Will you work with me to continue this successful partnership with public television stations and to increase their capacity to serve students and teachers nationwide?

A: In his FY 2010 budget request, the President has proposed to replace the Ready to Teach program with a new activity under the Fund for the Improvement in Education program, the Digital Professional Development initiative. This activity will provide for some flexibility that does not exist in the current Ready to Teach authority, especially the flexibility to support early childhood activities and to permit a wide range of entities to apply for funding. The purpose of the new initiative is to develop and distribute innovative digital professional development for teachers, including early childhood personnel, in core curriculum areas, that aligns with and supports State academic content standards, as appropriate. The digital professional development will be available for distribution through the Internet, online portals, and other digital media platforms and will use learning modules, gaming, simulations, and other innovative technological applications to enhance the effectiveness and relevance of such content for teachers. The Department takes this action in order to expand the technological approaches that can be used to support effective professional development, to encourage the development of professional development for early childhood educators, and to promote sustainability through a wide range of partnerships including, but not limited to, public television stations. We look forward to working with you on these efforts.

8. Would the Administration consider allocating a portion of the “\$2.5 billion for a new five-year Access and Completion Incentive Fund to support innovative state efforts to help low-income students succeed and complete their college education,” to expand existing and successful TRIO and Project GRAD programs so that we can expand programs that actually work while at the same time seeking out innovative programs?

A: The President’s FY 2010 budget maintains support for TRIO at \$905 million. The College Access and Completion Fund will stimulate strategic initiatives by States and associations of higher education institutions throughout the country, to systemically increase college access and completion rates far beyond current outcomes. In addition, there are a number of demonstrated and promising strategies developed by non-profits that should be considered in order to increase college access and completion rates.

Rep. Payne

1. Mr. Secretary, I am concerned that the Administration's budget eliminates funding for a program that has produced tremendous results for teachers nationwide, Ready to Teach. A current recipient of Ready to Teach funds is PBS TeacherLine. PBS TeacherLine has been the source of high-quality, online fully facilitated professional development since 2000, serving more than 55,000 educators across the United States in the past four years alone. With a recent focus on coaching and mentoring, PBS TeacherLine created Peer Connection, a field-tested, high-performance suite of collaboration and communication tools created to strengthen and streamline instructional coaches' work with the teachers they're supporting. This appears to be an innovative practice that should be encouraged by this administration. Can I get your commitment that you will take a closer look at this program and evaluate it on its merits and success?

A: We appreciate your support for this program and certainly our intention is to evaluate all programs on their merits. In his FY 2010 budget request, the President has proposed to replace the Ready to Teach program with a new activity under the Fund for the Improvement in Education program, the Digital Professional Development initiative. This activity will provide for some flexibility that does not exist in the current Ready to Teach statute, especially the flexibility to support early childhood activities and to permit a wide range of entities to apply for funding. The purpose of the new initiative is to develop and distribute innovative digital professional development for teachers, including early childhood personnel, in core curriculum areas, that aligns with and supports State academic content standards, as appropriate. The digital professional development will be available for distribution through the Internet, online portals, and other digital media platforms and will use learning modules, gaming, simulations, and other innovative technological applications to enhance the effectiveness and relevance of such professional development for teachers. The Department takes this action in order to expand the technological approaches that can be used to support effective professional development, to encourage the development of professional development for early childhood educators, and to promote sustainability through a wide range of partnerships including, but not limited to, public television stations.

2. As you think about what is needed to help students succeed academically—particularly those living in poverty—what are some of the innovations that have been successful that you would like to advance nationally?

A: We believe we must have dramatically higher State standards, and support common standards across States. To that end, the Administration has requested over \$400 million to support the development of rigorous assessments linked to those standards. We have also called for State data systems that are able to track student achievement and teacher effectiveness so we are able to learn where students are successful and where further interventions are needed. Additionally, we have called for States to remove caps on charter schools and implement laws that enable high-quality growth in the charter school sector. Finally, we must improve teacher effectiveness and the equitable distribution of teachers; turn around low-performing schools through such means as restructuring, providing incentives to high-performing educators to work in those schools, and adding time to the school day and year; strengthen early learning preparation for college and careers; and use technology to improve teaching and student learning. More information on reform ideas that may significantly improve student academic success is available at <http://www.ed.gov/policy/gen/leg/recovery/guidance/uses.doc> in a document produced by the Department.

3. How important do you think “added time” or “expanded learning time” is to helping close the achievement gap?

A: The Secretary has said that he fundamentally believes that our school day is too short, our school week is too short, and our school year is too short; that it doesn't matter how poor, how tough the family background, or what the socioeconomic challenges, where students have longer days, longer weeks, longer years—that's making a difference.

4. Do you support flexibility in how federal dollars can be spent to meet the needs of struggling students? For example, using funds like those designed for Supplemental Education Services to support more comprehensive approach to add learning time for students?

A: The Department is supportive of innovative approaches to ensuring student success, including extended learning time.

5. How can federal dollars, such as those in the American Recovery and Reinvestment Act and in the President's Fiscal Year 2010 budget, be used to support expanded learning time?

A: Federal education funds, including ARRA funds, can be used by LEAs and schools to expand learning time by extending the school day, school year, or both, to improve student achievement through increased time for core academic subjects. Title I funds for schoolwide and targeted assistance programs may be used as part of an overall strategy to improve student learning outcomes to increase time for structured teacher collaboration such as job-embedded teacher professional development and planning, and for classroom observation and coaching. Instructional strategies and initiatives for schoolwide Title I programs must be based on scientifically-based research to strengthen the core academic program and increase the quality and quantity of learning time. In addition, the FY 2010 budget request included \$1.13 billion for the 21st Century Community Learning Centers program, which is specifically focused on before- and after-school programs.

Rep. Polis

1. Both you and the president have repeatedly called for federal investment in innovative programs with a proven track record of helping schools meet high standards and close the achievement gap. President Obama has called on states to lift caps on charter schools and reform their charter school rules so that excellent charter schools can be replicated. The President's budget includes a 24% increase for Charter School Grants, which is an important first step towards fulfilling his pledge to double funding for this program. However, the program's focus is on new schools rather than scaling up existing successful models to serve more students. What role will the replication and expansion of high-quality charter schools play in the Administrations' education reform agenda, and how do you envision such an investment taking place both prior to and as a part of No Child Left Behind reauthorization?

A: Replication and expansion of high-quality charter schools will play a central role in the Administration's education reform agenda. The charter school program has provided over \$2.2 billion in financial assistance to States since 1995 for the planning, program design, and initial implementation of charter schools, and the dissemination of information on charter schools. State educational agencies (SEAs) award these funds as subgrants to developers of charter schools who have applied for a charter. In addition, States may reserve up to 10 percent of their grant for dissemination sub-grants to spread lessons learned from high-quality charter schools with a demonstrated history of success to other public schools, including other public charter schools, about how to create, sustain, replicate and expand high-quality, accountable schools. In support of the President's request to increase funding for this program to \$268 million, the Department is seeking additional flexibility to reserve funds to make multiple awards to charter management organizations and other entities that can replicate and expand successful charter school models as part of a national dissemination plan. Our Administration supports rigorous accountability for all charter schools, and moving forward, will encourage higher quality processes for the review and approval of charter schools, as well as ways to shut down charter schools that are not serving students well.

2. Under the Recovery Act, charter schools in some states are facing difficulties accessing the new funding. However, the Administration has made it clear that the fair and equal treatment of charter schools, which I am assuming is the case both with the recovery funds and other federal funding, will be a critical component of future ARRA funding. Could you discuss this issue—the role of how charters are treated under ARRA—in more detail? Will the Department hold states accountable for their treatment of charter schools during the second round of State Fiscal Stabilization Funding and the Race to the Top funds? How about federal funding in general in the long term longer?

A: In applying for Race to the Top funds, a State will earn points for ensuring successful conditions for high-performing charter schools and other innovative schools, as measured by the extent to which the State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools in the State; the State has laws, statutes, regulations or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; the State's charter schools receive equitable funding compared to traditional public schools; the State provides charter schools with funding for facilities, assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports, and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and the State enables LEAs to operate innovative, autonomous public schools other than charter schools. The Final Notice/Invitation for Applications for Race to the Top can be found at <http://www.ed.gov/programs/racetothetop/final-priorities.pdf> and an exec-

utive summary can be found at <http://www.ed.gov/programs/racetothetop/executive-summary.pdf>.

State law determines whether a charter school is an LEA, or a school within an LEA. A charter school LEA must receive Stabilization funding on the same basis as other LEAs in the State. In addition, Section 5206 of the ESEA requires State educational agencies to take necessary measures to ensure that a newly opening or a significantly expanding charter school LEA receives Department of Education formula grant funds to which it is entitled within five months after opening or expanding even if the identity of the children in those LEAs needed to determine allocations may not be available at the time the charter school LEA opens or expands.

3. Mr. Secretary, in April the nation grappled with the horrific suicides of two 11-year-old children, Carl Joseph Walker-Hoover in Massachusetts and Jaheem Herrera in Georgia both of whom had been relentlessly bullied and teased with anti-gay epithets. These deaths were needless and devastating to their families, friends and communities. This year, on the National Day of Silence you stated that “we must all acknowledge our collective role and responsibility in preventing student deaths and ensuring that our schools remain safe havens of learning.” What action is the Department of Education taking to combat bullying and promote tolerance in our nation’s schools?

A: We share your concern about the potentially terrible impact of bullying and harassing behavior on students, whether or not the behavior focuses on sexual orientation, gender, gender identity, religion, race, ethnicity, language background, or any of the other issues that bullies use to intimidate their targets. Bullying and harassment prevent young people from focusing on their studies and thereby disrupt the learning process: as such, they are an education issue of the highest priority for our Administration. We believe that schools must provide safe, disciplined, and nurturing environments for all of their students and establish school climates that are conducive to learning and healthy youth development.

A new initiative concerning school culture and climate included in the President’s FY 2010 budget request is designed to support efforts to address problems related to disruption and disorder in schools, as well as to assist schools that are experiencing serious violent and criminal behavior. The budget requests \$100 million in FY 2010 for new grants to encourage the use of research-based interventions as well as the involvement of partners from the community, including representatives from law enforcement, juvenile justice, and public mental health systems that also frequently interact with troubled students. We expect that applicants will propose strategies to reduce bullying and harassing behaviors, as well as to provide needed supports for victims, as well as bullies, that can then be used as models for other districts.

We look forward to the opportunity to develop and implement this new initiative, but also want to share information with you about other relevant activities. For example, some existing Department of Education programs, such as the Safe Schools/Healthy Students initiative (implemented in conjunction with the Departments of Health and Human Services (HHS) and Justice), also provide for bullying prevention efforts in schools and communities. We have also provided support for the development and implementation of an anti-bullying initiative sponsored by the Health Resources and Services Administration (HRSA), part of HHS. The initiative includes the development of materials and technical assistance for children and adult audiences, and includes some materials that specifically address bullying and harassment of lesbian, gay, bisexual and transgender youth. Information about the “Stop Bullying Now” campaign has been broadly disseminated and is available online at: <http://www.stopbullyingnow.hrsa.gov/kids/>.

The Department’s Office for Civil Rights also plays an important role in combating bullying and sexual harassment through its enforcement of Title IX of the Education Amendments of 1972 (Title IX). Since Title IX protects a “person” from sex discrimination, both male and female students are protected from sexual harassment engaged in by a school’s employees, other students, or third parties. Although Title IX does not prohibit discrimination on the basis of sexual orientation, it protects gay and lesbian students from sexual harassment as it does all other students. As part of the Department’s enforcement of Title IX, we will provide guidance and technical assistance to ensure that districts and postsecondary institutions understand their responsibilities to prevent and end sex-based harassment regardless of the real or perceived sexual orientation of the victim.

While many students who are the victims of bullying and harassing behavior are able to continue to function in spite of the pain inflicted by bullies, in some cases the intensity of the harassment, lack of family or other support, or fragility of a student can result in the kind of tragedies identified in your question. Schools also play an important role in preventing adolescent suicides. Our colleagues at the Substance

Abuse and Mental Health Services Administration (SAMHSA), part of HHS, are implementing a variety of activities designed to assist schools and communities in understanding and preventing this tragic behavior. For example SAMHSA also operates a technical assistance center that develops training and technical assistance materials and activities that focus on the most up-to-date information about effective suicide prevention efforts. Details about these efforts and the valuable services that are provided to help reduce the incidence of youth suicide are available online at: <http://www.sprc.org/about—sprc/about—site.asp>.

4. As the founder and superintendent of a charter school serving immigrant youth, I have seen firsthand how we waste talent and potential in this country by denying high school graduates the opportunity to pursue a college education because of their immigration status. These kids have been raised and educated in this country and are as American as anyone else, but for too long they have had their dreams shattered by an education system that ignores their good grades and hard work. Educational opportunity is a right, not a privilege, and access to higher education is the key to both individual success and our nation's economic growth and prosperity. Some try to describe the American DREAM Act as immigration policy, but I strongly believe that it's fundamentally an issue of educational opportunity. President Obama was a co-sponsor of this legislation both as a State and an U.S. Senator and during a visit to a school in my district a year ago he reiterated his support. Can you please share with us your views on this critical issue?

A: The Administration supports the DREAM Act.

5. According to the Census Bureau estimates, nearly 1 in 5 adults in the U.S. speaks a language other than English at home, and more than 17 million speak English less than "very well." While demand for English language instruction has dramatically increased, Federal funding for English Speakers of Other Languages (ESOL) programs has actually declined. A recent survey among 176 ESOL providers showed that 57.4 percent maintained waiting lists, ranging from a few weeks to more than 3 years. Given the increased demand for adult ESOL programs, and the current economic crisis, an investment in adult education is needed now more than ever. What efforts will the Administration take to help address these issues, and help build and maintain a robust adult education, language, and literacy system in the U.S.?

A: The President and the Department are committed to strengthening the adult education, language and literacy system. The Department recognizes that the need for programs and services in adult education and ESOL significantly exceeds the level of our resources and our ability to fully address the demand. According to the 2003 National Assessment of Adult Literacy (NAAL), over 30 million adults have "below basic literacy" in English. Twelve million (44 percent) are non-native English speakers. In program year 2007-08, the Adult Education State Grant program served approximately 2.3 million adults, 46 percent of whom were English language learners.

The President's budget requests \$628 million for the Adult Education State grants program for FY 2010, \$74.1 million more than the FY 2009 level. The FY 2010 increase includes an increase in the set-aside for English Literacy/Civics Education State Grants to \$75 million, a \$7.1 million increase over the FY 2009 level.

An essential component in developing this skilled workforce and addressing the needs of immigrant workers is providing job training in the English language. The Department continues to fund an Adult English Language Education Technical Assistance Network to support adult English language (EL) teachers by providing: (1) a national repository of research and research-based resources for adult EL educators across the Nation, and (2) targeted technical assistance to States in need of improving their EL professional development systems.

Finally, to specifically address the transition needs of English language learners, the Department is working with its State partners to better understand how English language learners transition between language training classes and adult basic skills instruction. The Department is identifying and evaluating promising new practices and initiatives to determine if they are effective in improving the transition rate of English language learners into Adult Basic Education and Adult Secondary Education programs.

Rep. Davis

1. Please share some specifics on what performance-based rewards will look through the Teacher Incentive Fund.

A: Our FY 2010 budget request for the Teacher Incentive Fund (TIF) program builds on what we have learned from our first two cohorts of grantees. In the FY 2010 grant competition, the Department would place a priority on the support of comprehensive, aligned approaches that support improved teacher and principal ef-

fectiveness, help ensure an equitable distribution of effective educators, actively involve teachers and principals in the design of human capital and compensation systems, and use data from emerging State and local longitudinal data systems to track outcomes and associate those outcomes with educator performance. Grants would provide support for rewarding teachers for improving student academic achievement, encouraging highly qualified, effective teachers to enter classrooms with high concentrations of poor children, and developing and implementing performance-based teacher compensation systems.

We expect that we will see grantees provide differentiated compensation for teachers and principals who can demonstrate that the students in their classes and schools performed at a higher level than comparable students. Grantees would make awards to individual teachers whose students demonstrate achievement gains or, alternatively, a grantee may choose to provide additional compensation to all teachers in a particular grade or subject area where students demonstrate significant gains in performance. Grantees also are likely to provide additional compensation to effective teachers who commit to serving in hard-to-staff schools. Grantees might also choose to provide additional compensation to educators who agree to mentor new teachers or take on other leadership responsibilities.

The Administration has also requested appropriations language that would also allow FY 2010 grantees to use TIF funds to reward all staff in a school, as opposed to only teachers and principals.

2. What are some of the obstacles to implementing performance-based rewards and how does the Department plan to overcome these obstacles?

A: We believe there is significant support for performance pay systems that are developed and implemented with the participation of teachers and principals. Accordingly, the Administration has requested a significant increase in funding for the Teacher Incentive Fund (TIF). The Department would place a priority on the support of comprehensive, aligned approaches that support improved teacher and principal effectiveness and help ensure an equitable distribution of effective educators, that actively involve teachers (including special education teachers) and principals in the design of human capital and compensation systems, and that use data from emerging State and local longitudinal data systems to track outcomes and associate those outcomes with educator performance. The Administration is also requesting language that would permit support for performance-based compensation to all staff in a school.

3. How will the performance pay rewards interact with No Child Left Behind and its requirements, such as Adequate Yearly Progress and Highly Qualified Teachers?

A: We believe that performance pay, in the context of the Teacher Incentive Fund (TIF), is compatible with the current requirements of the ESEA, as evidenced by the use of TIF grants in recent years. The Administration has requested a significant increase in funding for this program to support State and school district efforts to develop and implement comprehensive strategies for strengthening the educator workforce and driving improvements in teacher and principal effectiveness.

4. What opportunities do you see to build a new structure for successful principals and strong school leadership under the Obama Administration?

A: School districts have the opportunity to use funds for innovations under the Improving Teacher Quality State Grants program in order to increase the number of successful principals through professional development, recruitment, and retention activities.

For FY 2010, the Administration has requested \$517.3 million, \$420 million more than the 2009 regular appropriation level, for the Teacher Incentive Fund program. Among its allowable activities, Teacher Incentive Fund grants support efforts to develop and implement improved human capital and compensation systems in order to attract and retain the best principals.

The Administration has also requested a \$10 million increase for the School Leadership program to support school district efforts to encourage successful school leaders to work in lower-performing schools. Also, through the Teacher Quality Partnership Grants program, the Department awards grants that can be used for, among other purposes, supporting school leadership programs to train superintendents, principals, and other school leaders in high-need or rural school districts.

5. What will the new National Teacher Recruitment program look like and how will it bring new, quality teachers to the profession?

A: The Administration has requested \$30 million for a National Teacher Recruitment Campaign.

The program would combine: (1) a public service campaign to call people to service as teachers; (2) web-based services to help prospective teachers understand the requirements for becoming a teacher and the preparation options available to them; and (3) a National Teacher Recruitment Clearinghouse, where qualified teachers

can find employment opportunities and preparation institutions and employers can seek a richer pool of candidates.

The program would target a wide range of potential teachers: college students who could enter undergraduate teacher preparation programs; recent college graduates who could enter post-BA teacher preparation programs and alternative routes to teacher certification; and mid-career professionals and paraprofessionals who are interested in a new career direction.

The program will promote multiple pathways into the profession, such as competitive university-based programs and high-performing alternative certification programs.

6. How important is the issue of tuition refunds and loan forgiveness for service members who are activated to the Department?

A: Service members and veterans are very important to the Department. The Department administers numerous programs and benefits that apply to service members and veterans, as well as their families, while they are in college, deployed or have been graduated, and is committed to working with Congress on these issues. (See Question 7 for more specifics.)

7. How is the Department addressing the unique needs of service members and military veterans attending college? What tools do you need from Congress to better meet these needs?

A: The Department administers numerous programs and benefits that apply to service members and veterans, as well as their families, while they are in college, and for loans after they attend college or are deployed. The Department is implementing a number of new changes brought about by the Higher Education Opportunity Act (HEOA) amendments to the Higher Education Act (HEA). The Department on December 2008 issued a "Dear Colleague" letter on the new HEOA changes. The Department has also completed the negotiated rulemaking process on new regulations required by the HEOA.

The Department currently must have institutions treat veterans' education benefits as estimated financial assistance that count towards meeting the need of a student. However, the institution must exclude Chapter 30 benefits for purposes of eligibility for a subsidized Stafford Loan. The Department has made postsecondary institutions aware that starting with the 2010-2011 award year under the HEA, all Federal veterans education benefits must be excluded for purposes of eligibility for all of the Federal Student Aid programs. (P.L. 111-39, recently passed by Congress moved this date up to July 1, 2009).

The Department has made public postsecondary institutions aware that it may not charge a member of the Armed Forces who is on active duty for a period of more than 30 days and whose domicile or permanent duty station is in a State that receives assistance under the HEA, nor his or her spouse and dependent children, a tuition rate higher than its in-State tuition rate. This new HEA provision is effective for the 2009-2010 award year.

The Department is working with the Department of Defense to complete a computer matching agreement to ensure that starting with the 2009-2010 award year, the maximum Federal Pell Grant eligibility (EFC of zero) will be given to a student whose parent or guardian was a member of the armed forces and died as a result of military service in Iraq or Afghanistan after September 11, 2001.

The Department is applying the requirement of the Service members Civil Relief Act to the FFEL and Direct Loan programs that limits the interest rate on a borrower's loan to six percent during the borrower's active duty military service. This change applies to borrowers in military service as of August 14, 2008.

The Department has taken steps to apply to Direct Loans disbursed on or after October 1, 2008, a new HEA provision that interest will not accrue on the loan of an eligible military borrower for a period of not more than 60 months. The eligible military borrower is one who is serving on active duty or performing qualifying National Guard duty during a war or other military operation or national emergency, and is in an area of hostilities in which service qualifies for special pay. The benefit applies to any eligible military borrower whose service includes August 14, 2008, or begins after that date.

The Department has also taken steps to apply the new readmission requirements for service members that were effective August 14, 2008. An institution may not deny readmission to a service member of the Armed Forces for reasons relating to that service. In addition, a student who is readmitted to an institution under this requirement must be readmitted with the same academic status as the student had when he or she last attended the institution.

In addition to the newer items that were mentioned above and brought about by the HEOA, the Department continues to apply the military service deferment for FFEL Loans, Direct Loans, and Perkins Loans during the period that the borrower

is serving on active duty or performing eligible National Guard duty during a war, or other military operation, or national emergency. Also, effective October 1, 2007, members of the National Guard or Armed Forces Reserve, and members of the Armed Forces who are in a retired status, who are called to active duty service, are eligible for a 13-month deferment on repayment of their loans following the completion of their active duty military service.

LIAISON AND OUTREACH

The Department established a new position (Special Advisor for Military Affairs) in the Office of Planning, Evaluation and Policy Development to collaboratively promote and enhance policies in the Department that will improve the education and overall well-being of military members and their families, including those attending college. This person's functions include serving as the liaison between the Department of Education and the Department of Defense for implementation of the Memorandum of Understanding between the two agencies and other cross-agency efforts.

The Office of Communications and Outreach newsletter "Touching Base" provides online information about educational issues and resources pertaining to the education of military students. The publication highlights the activities of the Department of Education that have direct impact on military communities with the audience including military families, military organizations, and military support centers. It is available via e-mail and is posted on the Department's website at <http://www.ed.gov/news/newsletters/touchingbase/index.html>.

Federal Student Aid (FSA) staff attended Job Fairs at military locations in Maryland, North Carolina, and Virginia, and provided financial aid materials in support of events in Louisiana and Texas. FSA also regularly provides articles to the Department of Veterans Affairs for the "Operations Iraqi Freedom/Enduring Freedom Review" newsletter.

FSA's publications, workshops, and website are very useful tools and resources that help military families take advantage of grants, scholarships, and other services. Military families can easily find information about financial assistance for college by accessing it from TurboTap.org which includes a link to www.federalstudentaid.ed.gov.

INSTITUTIONAL TRAINING

In the Federal Student Aid Handbook on its website for financial aid officers at www.ifap.ed.gov, FSA provides "Dear Colleague" letters and electronic announcements information on the proper handling of military members' and veterans' issues, including their benefits when they apply for financial assistance for college. FSA has done numerous joint workshops with the Department of Veterans Affairs for financial aid officers to keep them up to date on changes that apply to veterans and their families.

8. Given that programs such as ED's Mentoring Programs are making progress toward closing the gap of 15 million children without a mentor and connecting young people with a solid role model, what can we do to improve the program—perhaps through a more rigorous RFP process or other means—rather than end it as recommended by the President's Budget?

A: We agree that connecting young people in an effective way with responsible adults is an important goal, particularly for youth who lack those connections within their families or communities. While the research concerning effective mentoring programs and strategies is more limited than we would like, we believe that positive mentoring relationships are most likely to flourish when there is a good match between mentors and assigned students, mentors are committed to the relationship and effectively trained, the relationship is sustained over a significant period of time, and mentoring activities help engender meaningful conversations and interactions for the mentors and mentees.

We are disappointed that the results of the recently released evaluation of the Department's Mentoring Program grantees did not reflect statistically significant improvements in academic achievement or engagement, delinquent or high-risk behavior, or interpersonal relationships. For example, program grantees frequently experienced a delay in matching mentors and students. As a result, the average length of a mentoring match was less than six months, with mentors reporting meeting with mentees an average of 4.4 times a month for a little more than one hour per meeting. Given the relatively brief average amount of time spent in the mentoring relationships, it is not surprising that significant behavioral changes were not found.

Many other Federal programs in more than a dozen agencies support mentoring activities. For example, the President's budget request includes funding for pro-

grams in the Department of Justice and the Corporation for national and Community Service that support mentoring for disadvantaged youth.

If Congress elects to continue funding for the program at the Department of Education, the Department would be glad to provide any needed Technical Assistance.

9. What type of research has been done to measure some of the other potentially positive effects of ED's Mentoring Programs, such as the happiness and confidence that can come from a healthy relationship with a responsible adult?

A: The Institute of Education Sciences conducted a large-scale, experimental evaluation of ED's student mentoring program. The evaluation did not examine the program's impacts specifically on student confidence or happiness. However, it did examine its impacts on several other non-school-related outcomes (e.g., pro-social behaviors; delinquency). The study found no positive effects after one school year on any of these outcomes (Bernstein, et al., 2009).

In addition, there are two other recent large-scale, experimental evaluations on school-based mentoring programs. The first was a study of the Big Brothers/Big Sisters program, which found no impacts on any of the non-school-related outcomes (e.g., self-esteem; assertiveness) that were measured at two points, after one school year and after fifteen months (Herrera, et al., 2007). The second study was of a generic school-based mentoring program, which found statistically significant impacts on four out of 19 non-school-related outcomes after one school year.

Rep. Scott

1. Given the disparity between college retention and graduation rates between low-income and high-income students, how does the Administration plan to incorporate into its retention strategy, longstanding programs like TRIO, which successfully equip students with the academic, social, and cultural skills needed to thrive in institutions of higher education?

A: The President's FY 2010 budget maintains support for TRIO at \$905 Million. However TRIO programs do not provide a complete solution. The College Access and Completion Fund is more comprehensive. Through this program, we hope to stimulate strategic initiatives by States and associations of higher education institutions throughout the country, to systemically increase college access and completion rates far beyond current outcomes. In addition, there are a number of demonstrated and promising strategies developed by non profits that should be considered in order to increase college access and completion rates.

2. The budget requests \$20 million in loan subsidies to guarantee up to \$178 million in loans under the Historically Black Colleges and Universities Capital Financing Program. To what extent will this meet the demand for such loans? Are there institutions in the pipeline with projects waiting to be financed? How many institutions do you anticipate will obtain loans in 2010?

A: There are currently institutions with applications in the pipeline, and we expect to guarantee loans for 9 schools in fiscal year 2010.

3. There seems to be varying views on the definition of a "quality" teacher and whether this translates to being an "effective" teacher. What are some of your and the Department's ideas on addressing this concern and ensuring that classrooms are not filled with paper teachers (teachers that are qualified on paper because of an advanced degree or etc.) who are not effective and can't engage our youth in ways that are both beneficial and conducive to their learning?

A: Teacher effectiveness is an Administration priority. For example, the FY 2010 budget includes an increase in funding for the Teacher Incentive Fund which will encourage changes in teacher and principal compensation systems as well as reward those who raise student achievement, close gaps, and work in the most challenging schools. In the State Fiscal Stabilization Fund, Race to the Top, and School Improvement Grants, the Administration is also focusing on teacher effectiveness. For example, the requirements for Race to the Top award points to states with teacher evaluation systems that make growth in student achievement a significant factor. We are also looking closely at this issue in the context of ESEA reauthorization.

4. Currently, Title I regulations do not provide specific graduation rate goals or growth targets. I have introduced legislation, the Every Student Counts Act, to address the dropout crisis that hasn't been fixed under the No Child Left Behind model. The Every Student Counts Act establishes an annual graduation rate goal of 90 percent and a growth target of 3 percent improvement annually and supports "growth models" of accountability by setting annual benchmarks based on a school's own starting point. Do you support this bill?

A: The Administration is committed to turning around low-performing schools, with a special emphasis on comprehensive, research-based interventions in chronically low-performing schools, including the roughly 2,000 high school "dropout factories" that contribute disproportionately to the Nation's dropout crisis.

Specifically, the Administration's proposed budget included:

- \$50 million for a High School Graduation Initiative to promote innovative strategies for increasing high school graduation rates, particularly in the "dropout factories" and their feeder schools.
- \$1.5 billion for Title I School Improvement Grants, \$1 billion over the 2009 funding level. These funds will help build State and local capacity to identify and implement effective interventions to turn around low-performing schools. The Administration also requested the enactment of appropriations language requiring States to ensure that 40 percent of School Improvement Grant allocations are spent on improvement activities in middle and high schools, which would be another avenue to use in taking on the dropout crisis.
- An additional \$100 million for the Investing in Innovation Fund to help identify, evaluate, and scale up proven strategies for improving student achievement and closing achievement gaps in low-performing schools, including secondary schools.

These proposed investments represent the beginning of the Administration's efforts to improve graduation rates.

The Administration looks forward to reviewing legislative proposals and working with Congress to find ways to strengthen accountability for graduation rates and incorporating growth models into Adequate Yearly Progress.

Rep. Titus

1. In Nevada, we have a serious problem with high school completion. In 2006, the Department of Education reported a graduation rate for Nevada of 56%, and others have put the city of Las Vegas at an even lower rate of 44%—both far below the national average of about 75%. In my congressional District there were 4 dropout factories and 5 with graduation rates lower than 70%. Nevada has been particularly hard-hit by the economic downturn and is facing unemployment rates that are the highest they have been in 25 years, so the low graduation rates are even more disturbing since we know that students without a high school diploma will find it difficult to find jobs and will earn less when they do. I know you are concerned about this issue. I was heartened by your comments this morning, encouraged by the increases in your and the President's budget, and intrigued by the recent accounts of your conversation with students themselves about why they drop out. You said in a recent interview, "I think we know many of the answers." Your 2010 budget request includes a \$1 billion increase for Title I School Improvement Grants. The budget summary states, "This request reflects the Administration's determination to take immediate action to begin addressing the factors that contribute to the high school dropout crisis in American education." You started to give us some details earlier and were cut off, so I'd ask you to please continue and elaborate on the details of how the School Improvement Grants will help improve our nation's and my state's graduation rates?

A: The \$1 billion increase requested for Title I School Improvement Grants (SIG) reflects the strong priority that the Administration is placing on identifying and implementing effective strategies for turning around low-performing schools and making sure that States and LEAs have the resources needed to meet the ambitious proficiency goals set by the ESEA. In addition, the request would require States to ensure that at least 40 percent of their SIG allocations are spent on school improvement activities in their middle and high schools, unless the State can serve all eligible middle and high schools with a lesser amount. This targeting request reflects the Administration's determination to take immediate action to begin addressing the factors that contribute to the high school dropout crisis in American education.

Section 1003(g) of the ESEA authorizes formula grants to States to fund local school improvement activities required by section 1116(b) of the ESEA for Title I schools that do not make adequate yearly progress for at least 2 consecutive years. Authorized activities include the development and implementation of school improvement plans, professional development for teachers and staff, corrective actions such as instituting a new curriculum, alternative governance under a restructuring plan, and the provision of public school choice and supplemental educational services options.

Rep. Woolsey

1. As you look at the Race to the Top funds and other programs that incentivize innovation, how is the Administration planning to work with states and school districts to make sure more girls and minorities are becoming interested in and doing well in math and science classes?

A: The Department is taking an active role in this area, as well as ensuring that States, school districts, non-profits, and others can help more girls and minorities

become interested and do well in math and science in ways they determine will lead to greatest outcomes for their students. For example, through rigorous enforcement of Title IX, we will work to identify and remedy disparities in access to STEM education. Applicants for Race to the Top will receive a competitive preference for including in their application a description of a high-quality plan to emphasize STEM education, including by addressing the STEM education needs of underrepresented groups, such as women and girls. The Department is also working closely with the White House and developing interagency partnerships through the Council on Women and Girls.

2. How do you envision the improvement of child care quality fitting into the proposed Early Learning Challenge Fund?

A: The Administration's proposed Early Learning Challenge Fund would help States develop a pathway to a high standard of program quality across early learning programs, including child care programs. Child care programs are a crucial component of our early learning systems, and any effort to improve and strengthen these systems will include the child care system.

3. How can we work together to ensure that all forms of early childhood care and education are receiving access to the Early Learning Challenge funds and the assistance to improve quality for our nation's children?

A: Our ultimate goal is the seamless delivery of services to our young children and their families. With this goal in mind, the Department of Education and the Department of Health and Human Services have begun to work closely together to improve program coordination and to ensure that all early learning programs would benefit from State-wide systematic quality improvements that the Early Learning Challenge Fund would support. These two agencies' collaborative work sets not only the tone, but the precedent that agencies, offices, States, programs, communities, and community-based organizations must work together to improve the quality of our early learning programs. States will be encouraged to build and strengthen their infrastructure in a comprehensive, integrated manner. States will also be encouraged to link early learning programs to health, disabilities and family support.

4. Historically, the Department of Health and Human Services has had much of the jurisdiction over early childhood programs, particularly child care. How do you plan to work with the Department of Health and Human Services to improve the coordination and delivery of services to children under the age of five? Specifically, in light of the Early Learning Challenge Grants proposal, how do you plan to coordinate the development and implementation of this proposal with HHS?

A: The Administration is committed to the successful joint administration of the Early Learning Challenge Fund, and my Department and the Department of Health and Human Services already are working to develop a process to fulfill that commitment.

[Whereupon, at 12:02 p.m., the committee was adjourned.]

