

**ESEA REAUTHORIZATION:  
MEETING THE NEEDS OF SPECIAL POPULATIONS**

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**HEARING**

OF THE

**COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS**

**UNITED STATES SENATE**

**ONE HUNDRED ELEVENTH CONGRESS**

**SECOND SESSION**

ON

**EXAMINING ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)  
REAUTHORIZATION, FOCUSING ON MEETING THE NEEDS OF SPECIAL  
POPULATIONS**

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**APRIL 29, 2010**  
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Printed for the use of the Committee on Health, Education, Labor, and Pensions



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U.S. GOVERNMENT PRINTING OFFICE

56-322 PDF

WASHINGTON : 2012

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## **ESEA REAUTHORIZATION: MEETING THE NEEDS OF SPECIAL POPULATIONS**

THURSDAY, APRIL 29, 2010

U.S. SENATE,  
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10 a.m. in room SD-430, Dirksen Senate Office Building, Hon. Tom Harkin, chairman of the committee, presiding.

Present: Senators Harkin, Mikulski, Merkley, Franken, Bennet, Enzi, Isakson, and Murkowski.

### OPENING STATEMENT OF SENATOR HARKIN

The CHAIRMAN. The Senate Committee on Health, Education, Labor, and Pensions will please come to order.

I would like to thank everyone for being here today for our second ESEA hearing in less than 24 hours. Let no one doubt that a strong reauthorization of this legislation is a top priority for this committee.

Today, we are going to explore another tremendously important facet of K through 12 education—what we, as a country, need to do to meet the needs of special student populations to ensure that all students have access to a high-quality education that prepares them for college or a career after graduation.

Secretary Duncan has correctly called education “the civil rights issue of our time.” Our public education system was founded in the 19th century, at a time when, for the most part, only affluent white males were given access to an education. Over the past century, we have taken tremendous steps to change that and to guarantee that all students, regardless of background, have access to an education that gives them the opportunity to live a successful and fulfilling life.

However, just being allowed into the classroom isn’t enough. To be able to reap the real benefits of an education, students must be given the tools and support they need to be successful. For some students, this means providing them with extra tutoring, therapy, or other accommodations that allow them to access the academic material and demonstrate the knowledge they have mastered. Other students may be struggling to learn English at the same time they are trying to learn math and science and require additional support to gain the language proficiency they need to learn and perform in the classroom.

We must also recognize, as we have heard in previous hearings, that students don't just check their home lives at the school door each morning. Students with unstable home lives require extra stability and support while they are at school to enable them to stay in class and to keep up with their peers. For a student, simple things like accommodations or support from a school counselor can mean the difference between the despair of falling behind and the fulfillment of meeting high expectations.

This is especially true in the case of students with disabilities. Under the Individuals with Disabilities Education Act, IDEA, which is celebrating its 35th anniversary this year, the Federal Government provides assistance to school districts to help them meet their constitutional obligation to provide a free and appropriate public education to children with disabilities.

More recently, the No Child Left Behind Act has focused on ensuring that students with disabilities have equal access to expectations for high achievement. By holding schools accountable for the success of all students, including students with disabilities, No Child Left Behind established the premise that every child can and should learn.

Over the past decade, No Child Left Behind has shown that students with disabilities can meet high standards when given the proper instruction. Before No Child Left Behind was enacted, less than one third of fourth grade students with disabilities scored at the basic level on the NAEP math exam, and only 6 percent were proficient. By 2007—just 7 years later—the percentage of students with disabilities scoring at the basic level had doubled to 60 percent, and the number of proficient students had more than tripled to 19 percent. That is a remarkable record, showing that kids with disabilities can learn and can grow.

However, while this improvement is heartening, an achievement gap still exists between students with disabilities and their peers who do not have disabilities. The graduation rate for students with disabilities is still just 56 percent, nearly 15 points lower than students who do not have disabilities.

As we reauthorize ESEA, we must focus on ways to close this gap. This means not only continuing to hold schools accountable for the success of students with disabilities, but investing in the resources for success—for example, training more special education teachers and providing our general education teachers additional training in how to teach students with disabilities in an integrated classroom. It means making investments to ensure that assessments are appropriate and that these assessments give us valid information on the performance of all students, including students with disabilities.

At our hearing today, we will hear not just about students with disabilities, but also other groups of students who face different challenges. Migrant students, foster students, homeless students, English language learners—all have different needs and require their own set of supports to ensure that they can access the quality education that they are entitled.

While we must be mindful of each student's unique background and provide them with what they need to be successful, we must

never allow ourselves to accept lower expectations for a student because of who they are or where they come from.

We must recognize that more and more students come from diverse backgrounds with diverse needs. However, instead of viewing this as an obstacle or a burden, we must look at it as an opportunity. I say that because in the modern world, it is no longer possible to remain isolated in small, homogeneous communities.

Our society puts a premium on being able to communicate and interact with people from diverse backgrounds, from countries across the globe. We know students who grow up and learn in diverse classrooms enter the world with an understanding and appreciation for people unlike themselves.

Diversity is one attribute, I think, that distinguishes America from many others. It makes us more creative, entrepreneurial, and successful. I believe it is a strength. We must ensure that our education system is preparing all students to meet the demands of the 21st century.

With that, I would turn to our Ranking Member, Senator Enzi.

#### OPENING STATEMENT OF SENATOR ENZI

Senator ENZI. Thank you, Mr. Chairman.

I appreciate you holding this hearing. It is always good to review the special populations because it is amazing how many there are. As you said in your comments, it is also tremendous what the United States does, as opposed to a number of other countries which start kicking kids out of school regardless of special needs at a very early age.

Meeting the needs of special populations in our schools today is an important issue for this committee to discuss, and I want to thank the witnesses for joining us today to share their knowledge and experience. We have been fortunate to witness progress over the last few decades in the education of these populations.

The No Child Left Behind Act took us into a new level by including disaggregation and reporting of student achievement data for students with disabilities and English language learners. The sunshine effect this had for these students and the support they receive in the classroom has been amazing. Data from the States show that these students can achieve high goals and standards when provided with the necessary services and supports.

The Elementary and Secondary Education Act recognizes that all the special populations represented here by our witnesses today have specific support needs that often require dedicated funding. Embodied within ESEA are programs for migrant students, students who have been neglected or delinquent, students re-entering school from correctional institutions, Native American students, Native Hawaiian students, Alaska Native students, and students who are English language learners. Under the umbrella of the ESEA reauthorization, we will also review and reauthorize the program for homeless children and youth.

Finally, while ESEA contains many provisions specific to students with disabilities, the Individuals with Disabilities Education Act, or IDEA, is devoted specifically to that population of students.

Not only are these programs complex, but the needs of the populations targeted by these programs are very complex. We must

make sure that in meeting the needs of these populations, we don't hamstring the local providers with too many burdensome and restrictive requirements. Those closest to these students need the flexibility to best meet their unique needs.

Today, I am interested in hearing how those populations have been served. I am also interested in learning how we can continue the successes we often see in the K through 12 education system as these students transition to other education, training, and workforce opportunities.

I want to welcome all the witnesses and thank them for being here to share their knowledge and their expertise and probably even to take some written questions because not everyone is able to be here for a number of reasons. But those answers will help us, too.

Thank you.

The CHAIRMAN. Thank you, Senator Enzi.

I will introduce some of our witnesses, and I know some of my colleagues want to introduce witnesses from their respective States.

Our first witness is Dr. Michael Hinojosa, who is the superintendent of the Dallas Independent School District in Dallas, TX. His career in Texas public education spans more than 30 years. A report by the Brown Center on Education Policy at the Brookings Institution stated that Dallas Independent School District has improved more than any other urban district in Texas and more than all but one urban district in the country in narrowing the achievement gap over the last 5 years.

Dr. Hinojosa's recognitions have included his selection as Superintendent of the Year by the University of Texas and as Texas Superintendent of the Year by the Texas Association of School Boards. He was named a distinguished alumnus by the College of Education at Texas Tech University, and is a past president of the Texas Association of School Administrators.

Next, we have Carmen Medina, the chief of the Division of Student Services and Migrant Education at the Pennsylvania Department of Education. Prior to coming to that department in 2004, Ms. Medina served as the academic programs director for a consortium of school districts in Adams County, PA, where she oversaw several social and academic programs, including 21st century community learning centers for migrant students. She has also worked as an assistant researcher with Penn State University.

I am told that Senator Bennet would like to introduce our next witness, Lucinda Hundley.

#### STATEMENT OF SENATOR BENNET

Senator BENNET. Thank you, Mr. Chairman.

It is a great pleasure and honor for me to introduce to the committee Lucinda Hundley. She is the assistant superintendent of the Littleton Public Schools in Colorado and is responsible for student support services and serves as the director of special education. She has the difficult job of trying to meet the needs of all students.

Under her leadership, Ms. Hundley has made tremendous progress in improving results for all students, including students with disabilities, and closing the achievement gap.



I want to welcome her here, and we look forward to your testimony.

Thank you for coming.

The CHAIRMAN. Thank you very much, Senator.

Senator Mikulski, I recognize you for purposes of introduction.

#### STATEMENT OF SENATOR MIKULSKI

Senator MIKULSKI. Thank you very much, Mr. Chairman.

It is really an honor of mine to introduce Denise Ross to you. Ms. Ross runs the homeless education program in Prince George's County, a county contiguous to the District of Columbia. One presumes that it is highly affluent, but, wow, does it have its challenges.

Denise has been working in the Prince George's schools for 25 years. She started as a speech and language pathologist and then became a supervisor for the county's homeless ed program 5 years ago. She is going to bring a lot to the table as she shares with you her experiences, her challenges, and her recommendations.

Under her leadership, the county serves 2,500 homeless children. Often, it can be difficult for those students to learn to read, but these kids need a ride to school, new clothes when they have none, school supplies to do their work, and tutoring services, so they don't fall behind. Through Mrs. Ross's own creativity, resourcefulness, and grit, she has been able to provide these services to homeless students, including, most recently, to make sure these guys and gals have hearing aids and eyeglasses, something very special, I know, to your work, Senator Harkin.

So when we think about improving the programs for special children, our homeless should at least have a home in the school system, and I think Mrs. Ross will give us a lot of practical suggestions, and we are happy to introduce her to the committee.

The CHAIRMAN. Thank you very much, Senator Mikulski.

Now I will turn to Senator Franken for purposes of an introduction.

#### STATEMENT OF SENATOR FRANKEN

Senator FRANKEN. Thank you, Mr. Chairman.

I am just delighted and honored to introduce Kayla VanDyke. Kayla is a high school senior in Eagan, MN. She is also in foster care and has lived in seven different foster care placements. She has lived through extended periods of homelessness.

Through the force of her determination and incredible innate ability, Kayla has overcome tremendous adversity. Drawing on her life experiences, she will provide us with guidance on how to address the educational challenges that she and other foster and homeless youth have experienced.

The CHAIRMAN. Thank you very much, Senator.

Welcome, Kayla.

I welcome all our witnesses today. We will now hear your opening statements, starting with Dr. Hinojosa and working our way down the panel. Your statements will be made a part of the record in their entirety.

Dr. Hinojosa, please proceed.

**STATEMENT OF MICHAEL HINOJOSA, Ed.D., SUPERINTENDENT, DALLAS INDEPENDENT SCHOOL DISTRICT, DALLAS, TX**

Mr. HINOJOSA. Thank you, Mr. Chairman.

Senator Harkin, Ranking Member Enzi, and members of the committee, thank you for giving us the opportunity to bring some input on this very important topic.

I am Michael Hinojosa, superintendent of schools for the Dallas Independent School District. I have been a superintendent in Dallas for the last 5 years. I have been a superintendent or a CEO for approximately 16 years in the State of Texas.

I, too, though, am an immigrant, and my father brought the 10 of us—or 8 of us to the greatest country in the world so that we could get an education. It is refreshing that this is important to this committee.

Let me talk a little bit about the context of which Dallas operates. Dallas is the 14th largest district in the country, 157,000 students, 5,000 of which are homeless, 55,000 English language learners. There aren't many districts in the country that have 55,000 students, much less 55,000 English language learners.

Eighty-seven percent are economically disadvantaged, 67 percent Latino, 27 percent African-American, and 4 percent white. The context is important because we cannot ignore any student group, much less English language learners, which is the group that I am speaking about, if we are going to move our entire system forward.

You mentioned the Brookings Institution, and we are very proud of that fact. It was unbeknownst to us that Ed.D study was going on. So we do appreciate that. Also, the Council of Great City Schools identified us—along with New York City, St. Paul, and San Francisco—for having significant progress on English language learners.

But how we got there is important, and I want to say that it wasn't just a focus on English language learners. We had a Dallas Achieves! transformation plan that was our strategic plan over the last 5 years, where we had a very specific curriculum that was written for every subject, for every student group at every grade level. The teachers help us write the curriculum, and it became a big part of what we implement on a daily basis.

We have also simultaneously during those 5 years developed a dual language program. Two types of dual language—one-way, and that is for one group of students who are monolingual Spanish speakers who are required to acquire English proficiency. Two-way dual language is where we have multiple groups or groups of English speakers who want to learn Spanish, along with Spanish speakers that need to learn English. We have implemented that program over the last 5 years with significant success.

One of the reasons that we have been able to have the success is nothing can happen unless you have great teachers, and we have had to go and hire teachers. We had—when I was hired 5 years ago, we had a significant number of—we had 1,000 classrooms in which we were not providing services to English language learners because we did not have the teachers to do it.

We had to do everything possible to do it. We had to go to Grow Our Own Teachers. We had to go all over the State of Texas. We

had to go to Puerto Rico, Mexico, and Spain to try to hire the teachers that could provide these services that these students needed. It was a significant task, but now I am pleased to say that we have less than 25 classrooms where we don't have qualified teachers to teach these students that have great need.

It is always hard to determine what caused something to happen, but I think the fact that Dallas has had a 15-year history of a value-added system, a growth model that we have had in place for 15 years, and the stakes have gotten a lot higher recently, but because we have had that, we know that we take students where they are, and we have to move them. That is a great equalizer, especially for English language learners, when they may be behind academically.

I gave you some charts. The charts just signify that our English language learners compete with other student groups in many areas, and part of it is because of our expectations in the programs that we have had.

As you move forward to reauthorization of Elementary and Secondary Education Act, what I would like to leave you with, and I only have a little bit of time left so I will get to that quickly. No. 1, the growth model is very important because the premise of a growth model is you take the students where they are and then you add value. This is extremely important for English language learners because of their level of proficiency.

You also need to remember that second language, academic language acquisition takes time. Students will fool you. They will talk to you in English that you understand, but that doesn't mean they are academically literate. That doesn't mean they can read or write. So it takes time to acquire those skills. It is very important that you have the appropriate measures in place for that to happen.

Right now, we are held accountable for student groups including what is called limited English proficient. But schools should be given credit for taking students who are limited English proficient and became proficient. They are no longer LEP, which is, by definition, lack proficiency. But they are still English language learners, and many districts, including Denver and others, have made a lot of progress. We have data that shows here that those districts, the students that were in English language learner programs do better than students that denied services or parents that denied services.

So you have to be in it for the long haul. There is not a silver bullet.

A couple of other things, as my time is expiring, and I will be glad to answer your questions. One of the things that we have to be careful of, we have a graduation rate that you mentioned, Senator, that is measured by everyone. We need to make sure there is not a disincentive because that graduation rate by the Federal Government is calculated for how many kids graduated in 4 years.

It takes a long time to acquire language. Most of the students that we get, we get at secondary level. Many of them are unschooled, have had no schooling. So it is very difficult for them to acquire any language. They are not literate in anything.

So we should be given an incentive or credit for keeping students in school after the 4 years, and there should be an incentive pro-

gram so that doesn't count against the school, which may be in a high refugee population or a very urban setting where you have students—we should be given credit for making sure the kids don't walk the streets and stay in school and graduate.

I have covered most of my areas, but I would also say that as you go through the reauthorization, I know there is some talk about having formula funding for title I and then some competitive funding for others. I would just remind us that, by definition, if it is competitive, there are winners and losers, and there are a lot of districts that depend on other Federal funds and title funds to help support English language learners and every student group that you are going to hear from today.

So I will conclude with my comments at this point and entertain any questions as appropriate by the chairman.

[The prepared statement of Mr. Hinojosa follows:]

PREPARED STATEMENT OF MICHAEL HINOJOSA, ED.D.

Good Morning Senator Harkin, Ranking Member Enzi, and members of the committee, I am Michael Hinojosa, Superintendent of Schools for the Dallas Independent School District, Dallas, TX. I have been superintendent in Dallas for 5 years and a superintendent in Texas for 15 years.

I appreciate this opportunity to discuss the critical area of Teaching and Learning for English Language Learners.

The Dallas ISD educates about 157,000 students of which 5,000 are homeless, 55,000 are English Language Learners (ELL), 87 percent are economically disadvantaged, 67 percent are Latino, 27 percent are African-American, and 4 percent are white.

We are very proud in Dallas of improvements we have made in Teaching and Learning for our students. I would like to highlight a few of the improvements we have made to enhance the education of our English Language Learners. I also will mention some of the accolades we have received as a result of our work such as being cited by the Brookings Institution in 2008 which indicated that the Dallas ISD was the most-improved urban school district in Texas and next to New Orleans, the second most-improved urban district in America in closing the achievement gaps among student groups.

We are also proud to be one of four districts in a study by the Council of the Great City Schools for improving learning for ELL students along with St. Paul, New York City, and San Francisco.

The district has seen significant systemwide reform through an effort titled Dallas Achieves!, which included a specific curriculum in all subjects—what every student should know and be able to do in every subject. Dallas also implemented a district-wide dual language program for all elementary schools—both one-way and two-way dual language. The goal for all students in the program is to be academically literate in two languages.

We have also ensured that we have qualified teachers in every classroom by reducing vacancies from 1,000 to less than 25 classrooms (over a 5-year period) with bilingual teachers qualified to serve student needs . . . traveled to Mexico, Puerto Rico, Spain, and South America; developed a grow our own program; and traveled the entire State to have enough qualified teachers for student needs

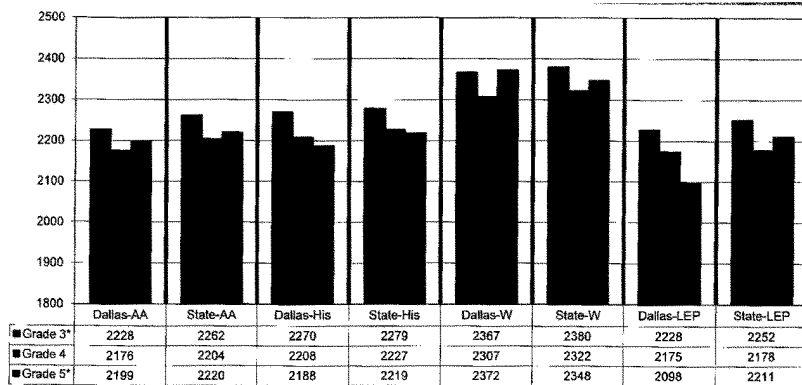
To ensure quality teachers, we have more than 15 years of history with a value-added (growth) model of measuring the effectiveness of teachers in student achievement gains.<sup>1</sup>

<sup>1</sup> Attached slides indicate that LEP students are out-performing State LEP students and in some instances other student groups and certain grade levels in certain subjects due to the strength of the dual language program.



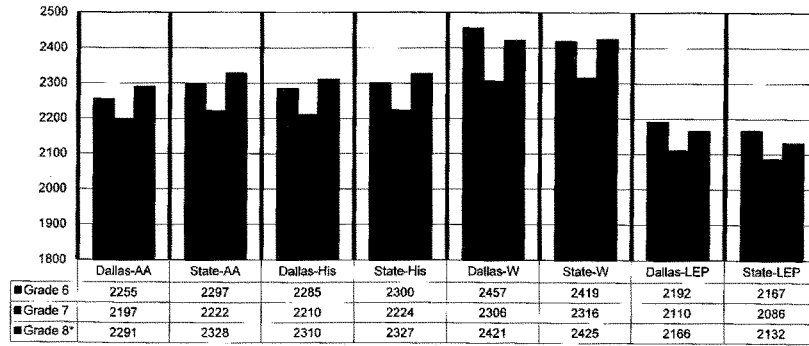
STATE VS. DALLAS ISD AVERAGE SCALE SCORES

STATE AND DALLAS ISD READING TAKS AVERAGE SCALE SCORE BY STUDENT GROUP, GRADES 3-5



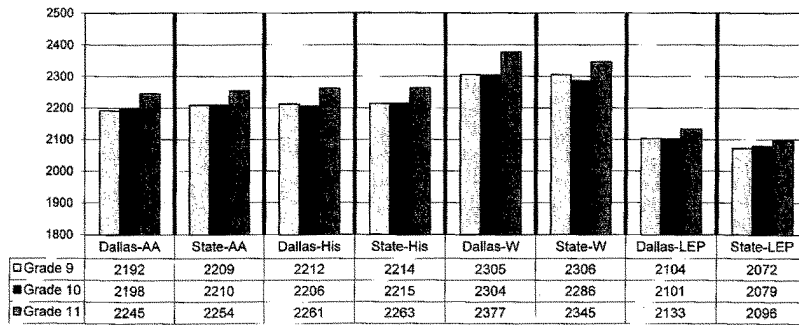
\*Scale score averages are from first administration.

STATE AND DALLAS ISD READING TAKS AVERAGE SCALE SCORE BY STUDENT GROUP, GRADES 6-8

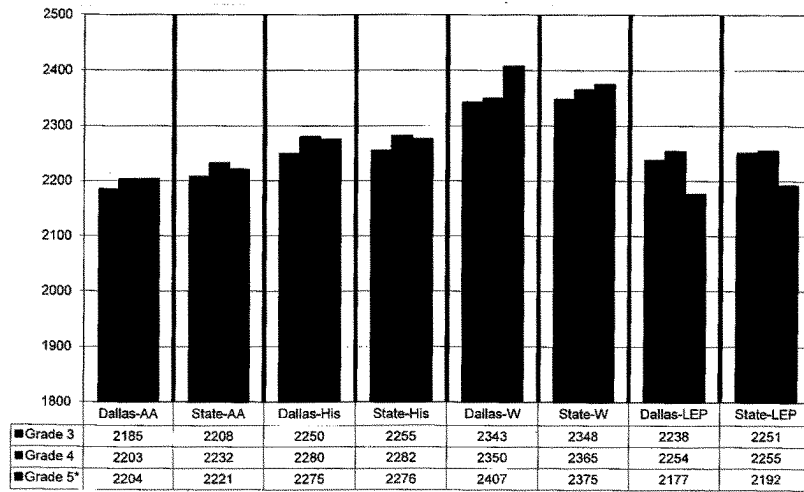


\*Scale score averages are from first administration.

STATE AND DALLAS ISD READING TAKS AVERAGE SCALE SCORE BY STUDENT GROUP, GRADES 9-11

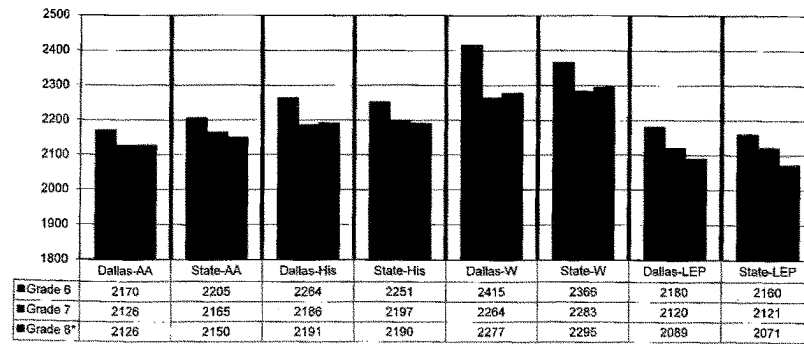


STATE AND DALLAS ISD READING TAKS AVERAGE SCALE SCORE BY STUDENT GROUP,  
GRADES 3-5



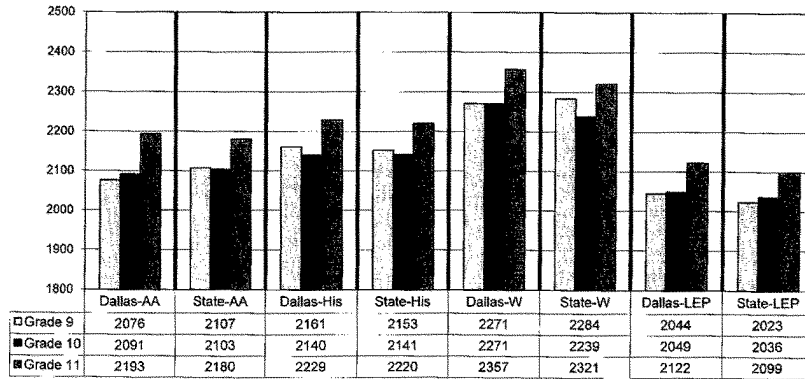
\*Scale score averages are from first administration.

STATE AND DALLAS ISD READING TAKS AVERAGE SCALE SCORE BY STUDENT GROUP,  
GRADES 6-8



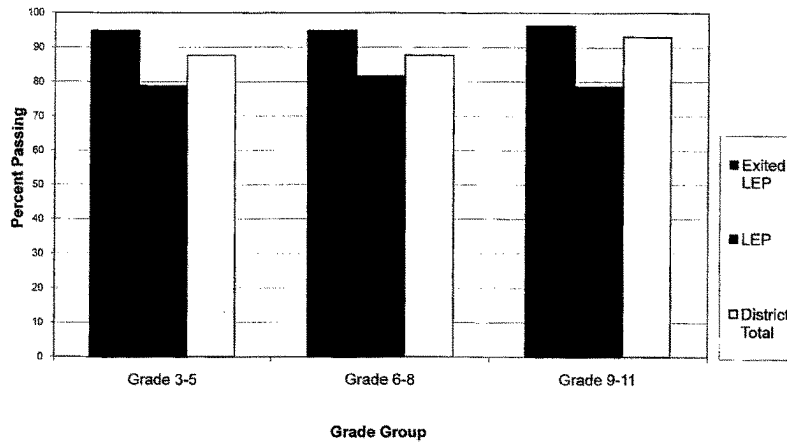
\*Scale score averages are from first administration.

STATE AND DALLAS ISD READING TAKS AVERAGE SCALE SCORE BY STUDENT GROUP, GRADES 9-11



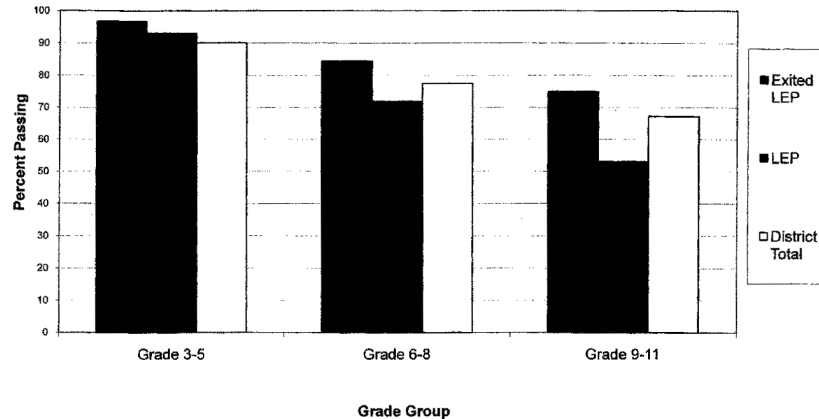
2009 TAKS PERCENT PASSING BY LEP STATUS, DISTRICT TOTAL, AND GRADE GROUPING

PERCENT OF GRADES 3-5, 6-8 AND 9-11 STUDENTS PASSING ENGLISH TAKS READING BY LEP STATUS AND GRADE GROUP, SPRING 2009





PERCENT OF GRADES 3-5, 6-8 AND 9-11 STUDENTS PASSING ENGLISH **TAKS**  
 MATHEMATICS BY LEP STATUS AND GRADE GROUP, SPRING 2009



In reauthorization of ESEA, I would like the committee to consider the following key issues:

- A growth model will level the playing field for all students . . . the premise of growth models is to take the students where they are and measure the growth of individuals. The bill should consider the fact that more than 50 percent of new arrivals enter secondary schools, many unschooled or under-schooled. There are special hardships for communities that have refugee centers.

Please also be reminded that academic language acquisition takes multiple years to accomplish. Students who are literate in one language can acquire literacy more readily in a second language. Schools should be given credit for students who have gained proficiency and literacy under their instructional program. Thus Limited English Proficient students should be part of a larger student group that includes English Language Learners.

We would like to see the bill retain current provisions regarding the allowable use of State assessments in the student's native language and would like to insert the requirement of consistency with the language of instruction.

Regarding assessments, the English Language Proficiency Assessment should be used, but not for accountability. Also required should be annual assessments in all domains to monitor progress after initial enrollment and at critical transition points. Codify current regulatory provision that recent immigrant students with limited English proficiency not be required to participate in ELA and math State assessment in their first year in the United States.

District's should be given incentives to keep students in school who have not graduated in 4 years. Many immigrant students are over-age and under-credited and will count against the cohort graduation calculations. It should not be a disincentive for districts and schools to continue to educate students who will be counted as drop-outs. Credit should be given for drop-ins.

Many districts rely on various formula title funds to support efforts for English Language Learners. If some of these funds become competitive, then there will be districts that by definition will be losing these funds to support these student groups.

Thank you for the opportunity to provide this testimony.

The CHAIRMAN. Thank you, Dr. Hinojosa. That was a very, very good statement.

Now we turn to Ms. Medina.

Ms. Medina.

**STATEMENT OF CARMEN MEDINA, CHIEF OF MIGRANT EDUCATION, BUREAU OF COMMUNITY AND STUDENT SERVICES, PENNSYLVANIA DEPARTMENT OF EDUCATION, HARRISBURG, PA**

Ms. MEDINA. Good morning, Chairman Harkin, Senator Enzi, and distinguished members of the committee.

I am Carmen Medina. I am chief of the Division of Student Services and Migrant Education at the Pennsylvania Department of Education.

I want to thank you for your invitation and for the opportunity to speak to you today about the importance of the Migrant Education Program and what is the difference it makes in Pennsylvania and across the Nation.

The Federal Migrant Education Program supports the goal of ensuring that every child in America receives a world-class education that prepares them for responsible citizenship, further learning, and productive employment. I welcome this opportunity.

Migrant workers are defined as those individuals who travel from place to place to find seasonal or temporary work in such industries as agriculture, dairy farming, fishing, and food processing. The average migrant family moves three to five times annually. Such mobility is particularly difficult to the children of migrant families and detrimental to their educational achievement.

Mobility as a risk factor for academic achievement is combined with the fact that many migrant children are not native in the English language and need instruction in English as a second language. Evidence shows that migrant children are usually 3 to 5 years behind nonmigrant students in grade level and are at an increased risk of dropping out of school.

The Migrant Education Program was established in 1966 as part of the Elementary and Secondary Education Act to address the unique needs of these children and operates in all 50 States. These funds are available to provide educational and support services to migrant children. In Pennsylvania, we use the funds to provide extended learning time, in-home support services, language instruction, out-of-school youth programs, dropout re-engagement, high-quality preschool instruction, post-secondary enrollment support, and engage the parents in the education of their children.

A child is considered migrant when they are between the ages of 3 to 21 years old, and they haven't graduated from the high school or have a high school equivalency certificate. Being a migrant worker or a parent, spouse, or guardian who is a migrant worker, we will consider them if they have children under the age of 21 to qualify for this program. They have to have a move, a qualified move in the preceding 36 months, and they are coming to seek that line of employment that I mentioned before, and they must move from one school district to another.

So you must imagine how it is when a child is moving three to five times a year. They don't speak the language. They don't know the community. And that is when the migrant program comes to work.

In Pennsylvania, we serve 139 school districts in 46 counties. In this past year, 2008–2009, we served a total of 5,409 eligible children and youth. This included youth of Hispanic, Asian,

African-American, and Caucasian descent across grade and age levels.

Migrant is not about ethnicity or race. Being migrant is a way of living, and also it is very important to notice that being a migrant is not the same as being immigrant.

In Pennsylvania, 82 percent of these children are not fluent in English, and we serve over 19 percent that are preschool. The Migrant Education Program is an essential part of the Pennsylvania Department of Education strategies to ensure that all students receive the necessary support to be successful in school and beyond by taking a holistic approach to student assistance.

We provide summer activities. That is one of the things that when it comes to reauthorization we are strongly supporting, and we ask to be considered to continue summer support. Because when you have families arrive into an area because, summer, that is where the crops are, the migrant program tends to be the first point of educational services and assistance for that family, to connect the family not only to the schools, but connect the families as well to their new community.

They will receive English as a second language instruction during summer programs, and also other instruction and other connections to make sure when the school year starts, the child and the family are prepared for school. ESL and other instruction is essential to prevent the "backslide" during which English language learners and children from low-income households, where they can lose up to 3 months.

I don't have too much time left, but I want to leave you with a quote of one of our former migrant students. This student is currently attending Penn State University. He graduated last year from Philadelphia School District, and he came from Cambodia.

When I talked to him, he asked me to share this quote with you.

"When I first arrived in Philadelphia, I was completely clueless. I didn't even know how to find my way home from school. Everything was different from where I came from. For a while, I just stayed in my house, and my computer became my best friend. I was scared and hiding, and I didn't even think I would ever get a good job after high school. I was sad and frustrated.

"But along came the Pennsylvania Migrant Education Program, and my life changed. I was amazed at how many people had the same background as I did. Once in the program, I got to see many beautiful places and made my college and career visits.

"So many nice people have helped me with so many of my problems. Without the Pennsylvania Migrant Education Program, I would not have the courage to stand and talk about my challenging life."

And like I said, this young man is a sophomore currently at Penn State University, and this is one of the many examples that we have of success stories at the Migrant Education Program. One of them is actually sitting here in the hearing room and is the national director of the Office of Migrant Education.

She was a former migrant student in Texas, and then she turned to go into education. She was a teacher. She was a school principal.

Now she has her doctorate in education, and we are very proud of her, Dr. Lisa Ramirez, and—over there.

[Applause.]

She is a product of the Migrant Education Program, and she is one of the many stories we have across the Nation.

So we ask you to keep funding the Migrant Education Program. We also ask that you will receive the Interstate Migrant Education Council's report, and there are certain recommendations in there. And we ask you to be able to review those recommendations, and among them is to extend eligibility and the funding of children from birth to 21. We feel it is very important to reach the family very, very young.

Thank you.

[The prepared statement of Ms. Medina follows:]

PREPARED STATEMENT OF CARMEN MEDINA

Good morning Chairman Harkin, Senator Enzi, and distinguished members of the committee. I am Carmen Medina, Chief of the Division of Student Services and Migrant Education at the Pennsylvania Department of Education. I want to thank you for the invitation to speak to you today about the Migrant Education Program and the importance of this program to migrant children and their families in Pennsylvania and across the Nation.

The Federal Migrant Education Program supports the goal of ensuring that every child in America receives a world-class education that prepares them for responsible citizenship, further learning, and productive employment. I welcome this opportunity to share with you the experience of the Commonwealth of Pennsylvania and my thoughts on why the support for the Migrant Education Program should be continued through the Elementary and Secondary Education Act, as outlined in the President's Blueprint for ESEA Reauthorization.

Let me start by calling your attention to an analysis of the ESEA Blueprint recently released by the Interstate Migrant Education Council or IMEC, which is attached to my written testimony. This analysis, in which I took part, highlights aspects of the proposed ESEA reauthorization which are of particular benefit to migrant children and their families. The analysis also makes recommendations to strengthen several sections of the blueprint that pertain directly to migrant children, such as expanding eligibility for program services to children from birth to age 21 and better defining certain key terms related to migrant children.

The expansion of eligibility to include children from birth to age 3 is particularly important. We know that early intervention services can have a profound positive impact on children at a high risk of academic failure. Including these children in the Migrant Education Program will enable States to offer these services to the youngest migrant children. Pennsylvania has been using State resources to fund these important services to very young children and we are seeing the benefit of serving these children during these vital developmental years.

Migrant workers are defined as those individuals who travel from place to place to find temporary work in such industries as agriculture, dairy farming, fishing and food processing. The average migrant family moves three to five times annually. Such mobility is particularly difficult on the children of migrant families and detrimental to their educational achievement. Mobility as a risk factor for academic achievement is combined with the fact that many migrant children are not native English speakers and need instruction in English as a second language. Evidence shows that migrant children are usually 3 to 5 years behind non-migrant students in grade level and are at an increased risk of dropping out of school. The Migrant Education Program was established in 1966 as part of the Elementary and Secondary Education Act to address the unique needs of these children and operates in all 50 States, the District of Columbia and Puerto Rico.

The Migrant Education Program makes Federal funds available to States to provide educational and support services to migrant children, youth and their families. The services offered through the Migrant Education Program are intended to help reduce the impact on the educational achievement of migrant children caused by their mobility, language and other barriers. In Pennsylvania, we provide the following types of services to migrant children and their families:

- Extended learning time, both during the school day and outside of school hours;

- In-home support services;
- Language instruction and cultural support;
- Out-of-school youth programs and dropout re-engagement;
- High quality pre-school instruction;
- Student leadership programs;
- Post-secondary enrollment support; and
- Activities to engage parents in the education of their children.

Migrant students are identified and recruited to the Migrant Education Program based on several eligibility criteria. Currently, to be eligible for the program in Pennsylvania, the child or youth must:

- Be between the ages of 3 and 21 years old and not graduated from high school or hold a high school equivalency certificate;
- Be a migrant worker or have a parent, spouse, or guardian who is a migrant worker;
- Have moved within the preceding 36 months in order to obtain or seek employment or accompany a parent, spouse, or guardian in obtaining or seeking temporary or seasonal employment in qualifying work; and
- Have moved from one school district to another.

Each year, Pennsylvania provides migrant education services in 139 Pennsylvania school districts and 46 counties across the State of Pennsylvania. In the 2008–2009 program year, Pennsylvania’s Migrant Education Program served a total of 5,409 eligible children and youth. This included migrant children and youth of Hispanic, Asian, African-American and Caucasian descent across grade and age levels. Eighty two percent of these children were not fluent in English. Nineteen percent were pre-school children, 55 percent were in kindergarten to grade 12, and 26 percent were out-of-school youth.

Pennsylvania operates the program by dividing the State into nine project areas for the purpose of program implementation and management. Each project area is overseen by a Project Manager who directs program implementation and day-to-day operations. Each Project Manager reports regularly to the Chief of the Division of Student Services and Migrant Education in the Pennsylvania Department of Education. The Pennsylvania Department of Education also provides technical assistance and professional development services to all project areas. Project area staff handle program implementation, including student support services, data collection and analysis, and recruitment of eligible children and youth.

Identification and outreach to eligible children is an important part of the program. Migrant families are likely to be unaware of services and resources that may be available, in part because of the very mobility and language barriers that make the services provided by the program so important to them and their children. The Migrant Education Program in Pennsylvania works hard to ensure that migrant students and their families are aware and take advantage of this important resource. Recruiters in Pennsylvania locate children through referrals from growers, industry owners and employees, other migrant families and local school districts. Once a migrant family is identified, recruiters interview family members to determine if the children are eligible for migrant education services. Recruiters also help migrant families find other services for which they may be eligible.

The Migrant Education Program has been an essential part of the Pennsylvania Department of Education’s strategy to ensure that all students receive the necessary support to be successful in school and beyond by taking a holistic approach to student assistance. The program allows us to begin offering individualized services to migrant children when they are very young and continue these services through high school graduation. The program engages parents and fosters collaboration between families and school districts and community organizations to offer a wide-range of high quality programming both during school hours and non-school hours.

Our Migrant Education Program summer activities are particularly important to migrant families. Many migrant families arrive in a new area at the beginning of the summer; our summer programs offer them their first point of contact to educational services and assistance in their new community. Migrant children are able to receive English as a Second Language (ESL) education during the summer. ESL and other instructions are essential to preventing the “summer backslide” during which English language learners and children from low-income households can lose up to 3 months growth in reading.

The Pennsylvania Migrant Education Program is also a key source of valuable data that informs State and local policies. The program has an evaluation system in place that measures each student’s needs and progress throughout the student’s participation in the program. The system collects quantitative and qualitative summer and school-year program data that is vital to identifying the needs of each child

and creating an individualized service delivery plan. In addition, migrant education staff has access to student assessments at the district level and can work with migrant students' teachers and parents to ensure the educational, social and emotional needs of each child are met.

The success of the Pennsylvania Migrant Education Program is evident on many levels. Pre- and post-service delivery evaluations of the program show that with each year of participation, migrant students improve their academic performance in all categories on the Pennsylvania State academic assessment in *both* reading and math. We also have a strong track record of keeping migrant students in school. In Pennsylvania, 88 percent of the migrant students in their senior year in high school who are participants in the program graduated and over 90 percent of those students continued with post-secondary education.

We are proud to say that Pennsylvania is a leader in delivering services through the Migrant Education Program to its migrant children and families. For many years, Pennsylvania has provided consulting and guidance on the delivery of migrant education services to other States and the Office of Migrant Education at the U.S. Department of Education often refers other States to Pennsylvania for assistance in developing and enhancing their Migrant Education Programs.

The program's success in Pennsylvania is also evident on a personal level. I would like to close by sharing with you a quote from a migrant student from Cambodia who participated in the program for 3 years. This student graduated from high school last year and is now continuing his education at Penn State University.

"When I first arrived in Philadelphia, I was completely clueless. I didn't even know how to find my way home from school . . . Everything was different from where I came from . . . For awhile, I just stayed in my house and my computer became my best friend. I was scared and hiding and I didn't even think I would ever get a good job after high school. I was sad and frustrated.

"But along came the PA Migrant Education Program and my life changed . . . I was amazed at how many people had the same background as I did. Once in the program I got to see many beautiful places and made many college and career visits. So many nice people have helped me with so many of my problems. Without the PA Migrant Education Program, I would not have the courage to stand and talk about my challenging life."

Through the Migrant Education Program, States are able to reach many students and help them to overcome the significant barriers that stand between them and educational and economic success. Please help us continue to do this great work by continuing the support of the Migrant Education Program in the reauthorization of the Elementary and Secondary Education Act and considering the specific suggestions set forth in the IMEC report.

Thank you again for the opportunity to testify today. I am happy to answer any questions you may have.

**[Editor's Note: A report entitled Migrant Education—Recommendations by The Interstate Migrant Education Council (IMEC) may be found at: <http://www.migedimec.org/publicatons/2011ReauthRecommendations.pdf>. Due to the high cost of printing, materials that have been previously published are not reprinted in the hearing record.]**

The CHAIRMAN. Thank you very much, Ms. Medina.  
Now we turn to Ms. Hundley. Welcome.

**STATEMENT OF LUCINDA HUNDLEY, ASSISTANT SUPERINTENDENT OF STUDENT SUPPORT SERVICES, LITTLETON PUBLIC SCHOOLS, LITTLETON, CO**

Ms. HUNDLEY. Thank you, Chairman Harkin, Senator Enzi, and other members of the committee.

You know who I am, Lucinda Hundley, from Littleton Public Schools. Just as a quick context, our school district has about 16,000 kids. We are a suburban district in the Denver metro area. We have about 1,550 students with disabilities, preschool through 21, and our graduation rate is about 90 percent. Our graduation rate for students with disabilities is close to 80 percent—79.2, to be specific—and our dropout rate is about 1 percent.

The CHAIRMAN. Wow.

Ms. HUNDLEY. As I said, I am directly responsible for kids with disabilities and the services and supports that we provide to them, but I want to say to you in the context of all of my remarks, please know that I believe parents are essential as partners to us and with us in the work that we do and the successes that we achieve. We cannot do it alone either at the local, State, or Federal level without parents as our partners.

Three years ago, our board of education set a new element in our district's strategic plan that was very focused, and there were two new things that they added. One was related to what we call the "90 percent goal." Essentially, that by the end of the 2011-2012 school year, 90 percent of all of our students, including kids with disabilities, would be on grade level in the areas of reading, writing, math, and science. The second part of that goal was to cut the achievement gap in half by the end of actually this school year, the 2009-2010 school year.

At this point, let me give you a quick progress report. In terms of all students, which includes students with disabilities, we are finding that right now or as of, I guess, spring of 2009, 79.6 percent of all of our students in grades kindergarten through 10th grade are on grade level, using our District's achievement index. Also included in that is another piece of a statistic that shows that we are getting some things right, but we still have some work to do.

In the spring of 2009, 79.6 percent of our students with disabilities at the elementary level made their adequate yearly progress targets, and 82.8 percent of our students with disabilities in spring of 2009 made their adequate yearly progress targets in math.

We are making progress. Those are students that are in the elementary level. We still have work to do for students in our middle and high schools.

To be effective, we believe the accountability systems need to include all students and that we need to hold high standards for all students. We believe that tracking goals and objectives and measurement of goals and objectives in IEPs is important, but that doesn't get to tracking achievement and being able to see what students can do and demonstrate on impartial instruments how they can do. So what we would say to you is that the system is not held accountable if the only progress we are measuring is on IEP goals and objectives.

Because of current law, students with disabilities now have a seat at the table, and I would say to you, that is probably the best thing for students with disabilities under ESEA. They have a seat at the table for instructional planning, for allocation of resources, for decisions around programming, for decisions around assessments.

For determining strategies that we are going to use, both in the classroom as well as for monitoring progress, there is now a much broader ownership, both at a district level, board of education level, and school site level for all students' learning, including kids with disabilities.

Because of ESEA, we believe we have made significant investment in the quality of our instruction in all subject areas. Through a team-based philosophy in Littleton, we have brought school-wide reform systems to our schools in the form of PBS, positive behavior

supports; response to intervention, RTI; and while having roots in special education, these programs are best implemented together with general education and embedded across an entire school system to impact the school system, not just one particular group of students.

We would say that what we are seeing is that those systems are beginning to work pretty well with our most at-risk kids, our low-income, minority students, English language learners, students with disabilities, and any other at-risk student who may not have a particular label, but they still may be at risk.

Colorado does not use an alternative assessment on modified achievement standards, and my written testimony includes some information for you about that. But what I would like to stress is that in making the decision to not move forward with developing a modified assessment, it has positively impacted our work because we are all being held to the same high standard.

In Littleton, students with disabilities are included in the general education classroom to the greatest extent possible according to their individual needs. By doing so, I believe we are really getting it right. We are creating an acceptance within the school that is creating not only a society of inclusion in the school and by extension in society in general, but we are creating an element in our schools that are expecting all students to learn and where all children have a place in both the academic and the social structure in the school.

Let me give you a quick example of a young man who in high school could be nominated as prom king. This young man had Down syndrome, and he is now 24. He is holding down an hourly job at the Pepsi Center, knows Carmelo Anthony. He receives an hourly rate, and it is a fair wage that a nondisabled person would also earn.

We also do a lot of transition planning with our students in terms of planning ahead for a future, and that is through our transition planning, starting at age 15, as well as accessing supports like our College in Colorado program. Students identify available resources. They participate in activities related to their goals, such as career planning, job coaching, or potentially dual enrollment programs.

Ultimately, what I am getting at—both by the systems that we are putting in our schools, our transition planning, putting college as a potential in a child's future—is we are setting the bar high enough that students with disabilities can actually begin to envision that they might have a future beyond high school, that they might graduate, that they might have something that holds some promise for them beyond high school—higher education, potentially a career, some type of work experience.

We also do something unique in Littleton. A year after our students graduate or age out at 21, we call those students and their parents to say how did we do? What are you doing? What could we have done better? What suggestions do you have for us?

As of the spring of 2009, for those students that were graduates or who aged out in 2008, 52 percent of those students are now in higher ed, and 44 percent of those students are in the workforce.



I would like to leave you with a couple of key recommendations, and I will be brief. No. 1, please maintain full accountability for students with disabilities, but please also consider, like my fellow panel members here have also said, please consider part of the annual assessment that is a measurement of student growth over time compared to themselves. Cohort groups are an important way of measuring student progress, not arbitrary targets that are currently in the adequate yearly progress measurement.

No. 2, please provide flexibility in the use of ESEA funds to be able to train and build capacity for both general and special education staff working with children with disabilities. It is important to build those technical skills. It is important to all of us in the field to be able to build capacity with the limited resources that we have.

No. 3, please support quality teacher training programs and models that provide incentives and supports for people to go into this very severely short-staffed field of special education. We know that nationally, there is a shortage of special education teachers, and we need support in creating incentives for people to go into those fields.

No. 4, please provide incentives for State assessments to be designed and implemented so that all students can accurately demonstrate over time their academic knowledge and skills.

And last, please expand opportunities to improve early literacy instruction and critical interventions through ESEA.

Thank you again for inviting me to participate in this panel, and I will await your questions.

[The prepared statement of Ms. Hundley follows:]

#### PREPARED STATEMENT OF LUCINDA HUNDLEY

Chairman Harkin, Senator Enzi, and other members of the committee, thank you for inviting me to speak today. I am the Assistant Superintendent of Student Support Services for Littleton Public Schools in Littleton, CO. Our district includes 24 schools Pre-K–12 and the district motto “big enough to serve you, small enough to know you” is embodied in the comprehensive programming offered in a caring and involved small-town atmosphere. We have over 16,000 students enrolled this year including 1,550 that are served under the Individuals with Disabilities Education Act. Our high school graduation rate is 90 percent, 79.2 percent for students with disabilities, and our dropout rate is 1 percent.

In my role as Assistant Superintendent, I am directly responsible for all services provided from pre-school to age 21 to students receiving special education services under IDEA. I work with a dynamic team of district leaders responsible for students with a broad range of needs, including title I schools. Together, we strive to set the highest of expectations for all of our students.

Today, I'd like to highlight key components of my district's commitment and success with students receiving special education services as well as share several recommendations for you to consider as you reauthorize the Elementary and Secondary Education Act.

#### LITTLETON'S COMMITMENT TO ALL STUDENTS

Three years ago, our Board of Education added a new element to the district's strategic plan to support and reinforce that student achievement should be at the heart of everything we do in our schools. The goals of that plan are:

- ensure that 90 percent of students—including students with disabilities—will be on or above grade level in the areas of reading and writing, mathematics, and science by the end of the 2011–2012 school year; and,
- cut the student achievement gap by half by the end of the 2009–2010 school year.

We have made tremendous progress in accomplishing these goals, in fact, as of spring, 2009, 79.6 percent of Littleton Public School students are on or above grade level, in the areas of language arts and math, according to the District's student achievement index. This reflects all students, grades K–10. While we have made gains in pursuing these goals, it will come as no surprise, that we continue to reassess not just what we are doing to improve student achievement, but how we are doing it, how we are improving general and special education, as well as how we are monitoring progress over time.

For students with disabilities, the gains are significant. In fact, our 2009 data show a district-wide 98 percent participation rate in our statewide assessments and steady gains in achievement. Examples of this include 76.9 percent of elementary students with disabilities meeting the adequate yearly progress target for reading and 82.8 percent of elementary students with disabilities meeting the adequate yearly progress target for math. There is no question that the requirement in current ESEA law—to fully include students with disabilities at the subgroup level in the accountability system—is a significant reason for these gains.

To be effective, State accountability systems must include all students, and be held accountable for the achievement of all students. Using progress monitoring data related to IEP goals is not a valid assessment of the success of the system to promote high levels of achievement for students with disabilities on State standards. The IEP is an individualized guarantee for special education and related services based on assessed student needs. IEP goals are related to a student's specific individual needs, including for example, services and supports—but these alone are not always a sufficient gauge of a student's educational achievement. Special education must also provide specially designed instruction and services for students with disabilities that facilitate high expectations and high achievement. The system is not held accountable if progress on meeting IEP goals is used as the sole accountability measure.

Under No Child Left Behind, students with disabilities now have a seat at the table, for instructional planning, staff development, and determining strategies for ongoing assessments to monitor progress. There is now a much broader ownership for the learning of *all* students, including those with disabilities.

Before the last reauthorization, the needs of students with disabilities were not fully considered in many of the decisions made regarding allocation of resources for teacher training, for programming including literacy and other interventions and for participation in assessments with their peers. Because of ESEA, Littleton Public Schools has made a significant investment in improving the quality of our instruction, in all subject areas. By bringing best practices to our schools through a team-based philosophy, we have been able to create and sustain school-wide reform systems through research-based programs such as Positive Behavior Support (PBS) and Response to Intervention (RtI). Both of these systemic strategies, while having roots in special education, are best implemented when the entire school building is engaged and both general and special education are working together to ensure that our most at-risk students, including low-income students, minority students, English Language Learners and students with disabilities, are provided the supports and interventions they need regardless of eligibility for one particular program or another.

When the U.S. Department of Education provided flexibility to States in creating an alternate assessment on modified achievement standards for students with disabilities—often referred to as the 2 percent Rule—Colorado's State legislature charged an expert study committee with the task of examining whether the State should move forward to develop a 2 percent test. In December 2005, the study committee released the report *Assessing "Students in the Gap" in Colorado*. That report included key recommendations such as:

- Expand the eligibility and difficulty of Colorado's alternate assessment on alternate standards for students with the most significant cognitive disabilities;
  - Increase the use of standardized accommodations;
  - Promote intensive, targeted, research-based instruction;
  - Investigate accountability measures that could account for longitudinal growth;
- and
- Investigate the effect of giving Colorado's general assessment to students in smaller sections over a longer period of days.

(Source: Report from the HB–05–1246 Study Committee, 2005)

Colorado's decision to not move forward in developing the modified assessment has positively impacted my district's commitment to providing the intensive, targeted, research-based instruction that students need and we strive to make the best decisions regarding assessments for students with disabilities.

Current law, although not perfect, has helped us work together to support a philosophy and approach that sets the highest of expectations for all students and doesn't place arbitrary limits on what any student can or should be expected to achieve. This helps us carry out on-going and focused professional development and staff training throughout the district. Our training is not a "top down" model, but instead relies on school-based teams to pilot evidence-based programs, see the student gains and then share and expand the growth of best practices and programs throughout the district.

In Littleton, students with disabilities are included in the general classroom to the greatest extent possible according to their individual needs. Because of a sustained effort to more fully include students with disabilities with their peers, in my estimation we are getting it right, including in Littleton, CO. We are benefiting greatly because we are fostering and supporting acceptance that creates a school society in which all pre-school, elementary, middle and high school students are expected to learn and know grade level content to the greatest extent possible, and, where all children have a place in both the academic and social structure of school and where, for example, a young man with Down Syndrome can be nominated prom king while in high school and hold down an hourly job at age 24, in a typical work place setting.

Another example of how students with disabilities are benefiting is with both the focus on transition to post-secondary opportunities and our State's College in Colorado program. It helps students engage in discussions about their future, identify resources available to them, participate in activities related to their goals, such as career planning, job-related skill development, on the job coaching, dual enrollment programs at the local community colleges or classes that support their career interests. Ultimately, it sets the bar high enough that students have a vision of themselves achieving goals after high school, which can include going to college. The College in Colorado program has expanded to include identifying higher education resources for students with disabilities. Imagine being a student with disabilities who, in the past, would have assumed that college wasn't in their future. Now, many students with disabilities in Colorado have set very realistic goals for themselves, goals that include college.

In Littleton, for students that graduate or exit at age 21 after receiving special education services, we contact each of them, and their parents, 1 year after graduation to ask them what they are currently doing in their life, how prepared they were, how they are doing, and what suggestions that might have for us to improve our supports to students with disabilities. After 5 years of collecting this post-school outcome data, we are confident to report that the majority of the students that have graduated or exited at age 21 are doing quite well. For the 2009 graduates reporting, 52 percent are involved in higher education, and 44 percent are employed in the workforce. This continues to be an area of priority for us, linking K-12 student achievement outcomes with post-secondary success.

#### KEY RECOMMENDATIONS

Inherent to our success as a district is also the ongoing challenge to make an imperfect law work so that we can fully support and serve all of the students for which we are responsible. As such, I'd like to offer several recommendations for you to consider as you reauthorize the ESEA.

1. Maintain full accountability for students with disabilities. Please consider however, as part of the annual assessment, the addition of a growth model that measures student growth at a cohort level. Current accountability with artificial targets for student performance does not allow for recognition of significant growth over time. Comparisons should be made from year to year against the same cohort or group of students, to fully understand the actual gains being made by that group (e.g. compare the same group of third graders to themselves when in the 4th grade). Accountability in this model is much more authentic as a measurement of real progress and therefore more accepted when it is relevant at the student level and reflective of the work being done. If our goal is to teach students and expect them to learn grade level content, we need to measure and compare those same students' growth each year. On a broad level, while States set their own targets, States (and their school districts) should get credit for progress made toward their own proficiency. A district level example of this is that in 2009, Littleton achieved 129 out of 135 AYP targets for our subgroups, but got no credit for progress that these students made, only the note that the district did not achieve AYP.

2. Provide flexibility in use of funds through ESEA to train and build capacity for more teachers. There is a critical shortage of special education personnel in Colorado and throughout the Nation. By allowing Federal funds to flow for training of

both general and special education staff, districts like mine could ensure that general educators are better prepared to teach students with diverse learning needs and that special educators better understand how to teach to grade level standards while providing specially designed instruction as required by IDEA. This would also allow districts to better utilize limited resources to assure that the staff with the most appropriate skills and training are those working with students with a range of learning needs. We want to focus our training on improving student academic achievement and how to teach students to successfully master the challenging curricula to the greatest extent of their abilities.

3. Support teacher training programs that provide ongoing incentives and support to draw qualified staff into the field where there are critical shortages. We all recognize that there is a serious shortage nationally of special education teachers. Colorado's Teacher in Residence training program is an example where higher education, in partnership with school districts, provides ongoing training, oversight and support in coordination with the mentoring support that the school district can provide. This type of teacher preparation program as an example, paired with flexibility for use of funds to build capacity and increased skills with current teaching staff as described previously, will enhance the efforts we are currently making in the field to provide trained, quality staff proficient in evidence-based instruction and progress monitoring.

4. Provide incentives for State assessments to be designed and implemented so that all students can accurately demonstrate, over time, their academic knowledge and skills. Our assessments must utilize the principles of Universal Design for Learning to ensure that all students—including those with disabilities—can meaningfully demonstrate their knowledge and skills, thereby providing a more accurate understanding of student academic performance for evaluation by educators, families and policymakers. This "next generation" of assessments must consider the needs of diverse learners from creation, rather than attempting to retrofit assessments during their implementation. An assessment can only be considered an accurate picture of a student's knowledge and skills if it is designed to allow a student to most effectively demonstrate what they know.

5. Expand opportunities to improve early literacy instruction and critical interventions throughout ESEA. Including a strong literacy component as part of ESEA and supporting professional development for teachers (e.g., the LEARN Act as recently introduced in the Senate and House) will help ensure training and funding for statewide literacy planning and instruction. School improvement and reform provisions must require the adoption and valid use of proven school-wide educational strategies, and embedding them in the general education structure. By including a "multi-tier system of supports (MTSS)—which allows for systems such as Response to Intervention, Positive Behavior Support and other research-based instruction and intervention systems—we can prevent academic failure, increase academic achievement and reduce the number of students mistakenly identified as needing special education.

Thank you again for this opportunity to speak to you today. I will be happy to take your questions.

The CHAIRMAN. Ms. Hundley, thank you very much for being here and for your statement.

Now we will turn to Ms. Ross, Denise Ross.

**STATEMENT OF DENISE ROSS, SUPERVISOR, HOMELESS EDUCATION OFFICE, PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS, MARYLAND**

Ms. ROSS. Thank you, Chairman Harkin, Ranking Member Enzi, and members of the committee, for providing me with the opportunity to speak to you on behalf of homeless children across the country.

Our school system, like most jurisdictions, has experienced growth in our homeless student enrollment over the past few years. Currently, there are over 2,500 homeless children and youth enrolled in our school system. This is approximately a 14 percent increase over the past 3 years.

Homeless children and youth have unique needs. They encounter educational barriers when these needs are not understood, or when

Federal law—the McKinney-Vento Homeless Assistance Act—is not implemented fully.

Homeless children and youth are embarrassed about where they live. They move from place to place, worried about where they will live next and what school they will attend. They are hungry and wondering whether or not they will have food to eat. They often lack sleep because they are in a crowded place, sometimes with people that they don't know. They lack the basics, such as clothing and school supplies, personal hygiene items, things that we sometimes take for granted.

The McKinney-Vento Homeless Assistance Act is an anchor for homeless students in many ways. It allows youngsters to have immediate school access as well as school stability during their time of transition. I actually see the power of these policies on a daily basis.

Most importantly, over 70 percent of our homeless children in Prince George's County Public Schools attend the same school that they were attending prior to losing their housing, also known as the school of origin. Thanks to our school district's commitment to school stability, this has occurred.

Despite progress over the past years, many barriers remain. Some of the primary challenges include identifying homeless students, providing transportation, and meeting the needs of the special populations. There are many more challenges, but with respect to time, we are going to focus in on just those three.

First, the educational needs of homeless students cannot be met if these students are not identified. Yet homeless students are often invisible. Even with the more than 2,500 homeless students that our county has identified, we know that there are more out there, unseen and, therefore, not served.

Reauthorization should increase the authorized funding level so that more school districts have the resources to hire the staff to find and then assist homeless students. Currently, my school district is among 9 percent of school districts nationwide that receive funding.

Another challenge and one of our bigger challenges is transportation. The primary purpose of the McKinney-Vento Homeless Assistance Act is to limit disruption in the child's education. Transportation is essential to achieve this purpose. Yet the cost of providing transportation is very high.

Our school district steps up to the plate in providing transportation, but we do that at a very high cost. The cost of transportation has caused school districts to fail to identify homeless students or to force school moves that are not in that child's best interest.

We also are challenged by other school districts that are not providing prompt or timely transportation, and this creates a barrier to the immediate or continued enrollment and attendance of homeless students. In addition, some school districts misinterpret the school of origin transportation requirements. Therefore, they discontinue transportation to the school of origin if the family obtains permanent housing during the school year.

This practice pulls the rug out from underneath homeless children and youth just as they are finally achieving some stability in

their lives. Once again, it uproots their education. Therefore, I ask that reauthorization support the transportation provisions of the McKinney-Vento Act by addressing all of these issues.

The last challenge that I would like to address is meeting the needs of special populations. Young children experiencing homelessness are often shut out of early childhood programs as a result of their mobility, never reaching the top of the waiting list.

The McKinney-Vento Act should be amended to increase homeless children's access to and stability in early childhood programs. In addition, unaccompanied youth face the trauma of homelessness without the support of a parent or guardian. They are often disengaged from school and behind in credits. I ask that reauthorization address their unique needs and ensure that they have a chance to make up what they missed due to homelessness.

Finally, children and youth in foster care also experience educational disruption. Reauthorization should create a separate education program for children and youth in foster care that provides immediate access and school stability. This program should maximize the collaborative role and the resources of child welfare agencies.

In closing, too many homeless children and youth are not identified, enrolled, or attending school. Too many continue to change schools over and over again, each time losing instruction, losing friends, and eventually losing their connection to school entirely by dropping out. Homeless students and students in foster care need additional supports if they are to be able to participate successfully in any educational program.

I ask the committee to address these issues in the upcoming reauthorization.

Thank you again for the opportunity to share my experience and views.

[The prepared statement of Ms. Ross follows:]

PREPARED STATEMENT OF DENISE ROSS

SUMMARY

*Homeless children and youth have unique needs; they encounter educational barriers when those needs are not met.* These needs include lack of basic supplies such as clothing and hygiene products; fatigue, hunger, emotional stress, trauma; high residential mobility; lack of records.

*Despite much progress over the past years, many barriers to the education of homeless children and youth remain.* Some of the primary challenges include the following: (1) difficulty identifying homeless students; (2) lack of dedicated staff time and resources; (3) determining the best educational placement; (4) the logistical and financial challenges of transportation; (5) lack of clarity in the title I part A setaside for homeless students; and (6) meeting the needs of special populations, such as preschool children, unaccompanied homeless youth, and children and youth in foster care.

*Recommendations for Reauthorization of ESEA:*

- Improve identification of homeless students by ensuring that school districts have the resources to hire the staff to find and assist homeless students. Reauthorization also should require that homeless liaisons participate in professional development to increase awareness, which also will improve identification.

- Require that all homeless liaisons have sufficient training, resources, and time to perform their mandated responsibilities.

- Require that best interest determinations for homeless students be individualized and child-centered, and that they take into account a number of important criteria, such as the age of child, safety of student, and time remaining in the school year. School districts should presume that staying in the school of origin is in the

child's best interest, unless an individualized determination supports a school move, or unless the parent, guardian, or youth wish to change schools.

- Support the transportation provisions of the McKinney-Vento Act by addressing these funding issues and clarifying that transportation to the school of origin must be provided until the end of the school year if a child or youth obtains housing, if it continues to be in his or her best interest to continue to attend there.
- Provide greater clarity in determining the amount of the title I, part A setaside for homeless students, as well as more flexible uses of these funds.
- The McKinney-Vento Act should be amended to increase homeless children's access to and stability in the early childhood programs.
- Reauthorization should address the unique needs of unaccompanied homeless youth and ensure that they have a chance to make up the credits they missed due to homelessness.
- Reauthorization should create a separate, dedicated education program for children and youth in foster care that allows them to stay in the school of origin when it is in their best interest, or immediately enroll in a new school. This program should maximize the collaborative role and the resources of child welfare agencies, so that both agencies have clear, distinct, and appropriate responsibilities.

Thank you, Chairman Harkin, Ranking Member Enzi, and members of the committee, for providing me with an opportunity to speak to you on behalf of homeless children and youth across the country.

I currently serve as the Supervisor for the Homeless Education Program for the Prince George's County Public School System in Maryland. Our school system, like most jurisdictions, has experienced growth in our homeless student enrollment over the past few years. Currently, there are over 2,500 homeless children and youth enrolled in our schools. This is approximately a 14 percent increase over the past 3 years.

Homeless children and youth have unique needs. They encounter educational barriers when these needs are not understood, or when Federal law—the McKinney-Vento Act—is not implemented fully. Homeless children and youth are embarrassed about where they live. They don't understand why they are homeless, or why their circumstances do not improve. They move from place to place, worried about where they will live next and what school they will have to attend. Often times, they are hungry and wondering whether they will have food to eat. They often lack sleep because they are in a crowded place with other people they don't know. They lack basics such as clothing and school supplies.

Unaccompanied homeless youth confront these difficulties without a parent, guardian, or any caring adult, most often because they are fleeing abuse or neglect at home. Homeless children and youth are often sad and scared, but they can feel safe and secure at school. School is also where they can obtain the education to help them escape poverty and homelessness as adults.

The McKinney-Vento Homeless Assistance Act is an anchor for homeless students in many ways. It allows these vulnerable youngsters to have immediate school access and school stability during their time of transition. In my work as school district homeless liaison, I see the power of these policies on a daily basis. I conduct trainings on the McKinney-Vento Act each year to make sure our school personnel know their responsibilities. Our program provides homeless students with vouchers or gift cards for clothing, uniforms, shoes, school supplies, personal hygiene items, eye exams and glasses, if prescribed. We also provide after-school academic support services with McKinney-Vento grant funds in a local elementary school and at a homeless shelter for women and children. We know that if you equip the students with these necessities, it will enhance their desire to attend school, and improve their academic performance. We provide many other services, working closely with community agencies to make referrals and coordinate activities.

Most importantly, the majority of our homeless students attend the same school that they were attending when they lost their housing, thanks to our school district's commitment to fulfilling our legal obligation to provide the transportation required for a stable school experience.

Despite progress over the past years, many barriers to the education of homeless children and youth remain. Some of the primary challenges include the following: (1) difficulty identifying homeless students; (2) lack of dedicated staff time and resources; (3) determining the best educational placement; (4) the logistical and financial challenges of transportation; (5) lack of clarity in the title I part A setaside for homeless students; and (6) meeting the needs of special populations, such as pre-school children, unaccompanied homeless youth, and children and youth in foster care.

1. *Difficulty Identifying Homeless Students.* The educational needs of homeless students cannot be met if these students are not identified. Yet homeless students are often invisible. A homeless parent, when asked by a reporter what she wanted to say to the public, responded, "You can't judge a book by its cover." In other words, you can't always tell just by looking at someone whether or not that person is homeless. Even with the more than 2,500 homeless students we have identified in our county, we know that there are more out there, unseen and not served. Reauthorization should address the need for increased outreach and identification of homeless children and youth by increasing the authorized funding level, so that more school districts have the resources to hire the staff to find and assist homeless students. Reauthorization also should require that homeless liaisons and school staff participate in professional development. This professional development will result in a heightened awareness and thereby improve identification efforts.

2. *Dedicated Staff Time and Resources.* School district homeless liaisons are essential for effective implementation of the McKinney-Vento Act. McKinney-Vento liaisons and school staff are often the *only* source of advocacy and support for homeless students. However, homeless liaisons face a number of challenges. They are often unable to devote sufficient time to carry out their duties, due to the many hats they wear. In fact, in the majority of school districts, the liaison is merely a title. This problem is related in part to the low funding level of the McKinney-Vento program; only 9 percent of school districts receive McKinney-Vento Act funds. Fortunately, thanks to the support of the Prince George's County Public School District, our homeless program has four full-time positions. We need each and every person on our staff to ensure that our students are served. Reauthorization should require that homeless liaisons have sufficient capacity to perform their mandated responsibilities.

3. *Determining the Best Educational Placement.* School districts are required to keep homeless children and youth in their original school, to the extent feasible, unless staying in this school is against the wishes of the parent or guardian. In my experience, school stability is usually in a child's best interest; in fact, over 70 percent of our homeless students stay in the same school. Unfortunately, I have witnessed different school districts interpret this policy in different ways. Sometimes, they base what is feasible on cost and convenience, rather than on what is truly in the best interest of the child. Reauthorization should require that "best interest" determinations be individualized and child-centered, and that they take into account a number of important criteria, such as the age of child, safety of student, and time remaining in the school year. School districts should presume that staying in the school of origin is in the child's best interest, unless an individualized determination supports a school move, or unless the parent, guardian, or youth wish to change schools. This policy will allow flexibility to meet individual needs, but strengthen and promote school stability.

4. *The Logistical and Financial Challenge of Transportation.* The primary purpose of the McKinney-Vento Act is to limit disruption in children's education when they suffer the loss of housing. Transportation is essential to achieve this purpose. Yet the cost of providing transportation is very high. The Prince George's County Public School District steps up to the plate in providing transportation, but we do so at a very high cost. The cost of transportation has caused other school districts to fail to identify homeless students, or to force school moves that are not in children's best interest. Reauthorization should support the transportation provisions of the McKinney-Vento Act by addressing these funding issues. In addition, while the Prince George's County Public School District tries to follow the letter and the spirit of the law, we are challenged by other school districts that are not providing prompt or timely transportation services. This creates a barrier to immediate or continued enrollment and attendance. In addition, some school districts misinterpret the school of origin transportation requirements. They discontinue transportation to the school of origin if the student obtains a regular, fixed, and adequate nighttime residence during the school year. This practice pulls the rug out from underneath homeless children and youth just as they are finally achieving some stability in their lives; once again, it uproots their education. Reauthorization of the McKinney-Vento Act should clarify that transportation to the school of origin must be provided until the end of the school year if a child or youth obtains housing, if it continues to be in his or her best interest to continue to attend there.

5. *Lack of Clarity in Title I Part A Setasides.* We are fortunate to be among the 9 percent of all school districts nationwide that receive a McKinney-Vento sub grant. This year, our homeless education program is supported by a \$60,000 McKinney-Vento grant, a \$113,000 ARRA homeless education grant, and \$85,000 from the title I, part A homeless education setaside. The contribution of title I part A is essential for our program to continue services. Yet our district, like many others, would ben-



efit from greater clarity in determining the amount of the setaside, as well as more flexible uses of these funds. Reauthorization should address both of these issues; especially since the title I part A setaside is the primary funding source available to school districts to support their homeless children and youth.

6. *Meeting the Needs of Special Populations.* Some children and youth have special circumstances, and require specific policies. Young children experiencing homelessness are often shut out of early childhood programs as a result of their mobility, never reaching the top of the waiting list. The McKinney-Vento Act should be amended to increase homeless children's access to and stability in the early childhood programs. In addition, youth who are homeless and on their own face the trauma of homelessness without the support of a parent or guardian. They are often disengaged from school and behind in credits. Reauthorization should address their unique needs and ensure that they have a chance to make up what they missed due to homelessness. Finally, children and youth in foster care also experience high rates of mobility and educational hurdles. Reauthorization should create a separate, dedicated education program for children and youth in foster care that allows them to stay in the school of origin when it is in their best interest, or immediately enroll in a new school. This program should maximize the collaborative role and the resources of child welfare agencies, so that both agencies have clear, distinct, and appropriate responsibilities.

In closing, I would like to share a story about a single homeless mother with two children. One child was in elementary school, and the other was in middle school. The mother lost her government job, and, as a result, lost her housing. She and her two children stayed with family or friends for a period of time in stressful, unstable arrangements. The family moved at least three times, but thanks to the McKinney-Vento Act, the children remained at the same school that they had attended prior to becoming homeless. Each time the mother's living arrangements changed, homeless liaisons assisted her with completing required documents to allow for continuity with transportation. Her children were able to receive free meals (breakfast and lunch) at school. The elementary student was on the honor roll. However, the middle school student's grades gradually fell below average. His grades were not a reflection of his ability. They were a direct result of his inability to concentrate on studying. He was consumed with figuring out where they would be living when he got out of school. Being a teenager, he was also angry and embarrassed by their living arrangements. The mother and her children eventually obtained a spot at a local shelter in a neighboring jurisdiction. She requested that the students finish out the school year in Prince George's County Public Schools. We determined that this school placement was in her children's best educational interest, so transportation was arranged, and the students finished out the school year in Prince George's County. Today, the mother has obtained housing. She also completed a Culinary Arts program. Both children are attending school in the neighboring jurisdiction and doing well. This mother called our Homeless Program a "blessing" to her in her time of hardship.

This story may have ended quite differently if the Prince George's County School District did not have the willingness, ability, and resources to implement the law. Too often, stories like this, and many other stories of even greater hardship, do end differently. Too many homeless children and youth are not identified, enrolled, or attending school. Too many homeless children and children in foster care continue to change schools over and over again, each time losing instruction, losing friends, and eventually losing their connection to school entirely by dropping out. Education is one of our strongest weapons in the fight against adult homelessness. But homeless students, and students in foster care, need additional supports if they are to be able to participate successfully in *any* educational program. The McKinney-Vento Act has a strong history, but too many barriers remain. I ask the committee to strengthen and expand the McKinney-Vento Act program for homeless children and youth, and to create similar opportunities for children and youth in foster care through a separate program that is dedicated to their unique needs.

Thank you again for the opportunity to share my experience and views.

The CHAIRMAN. Ms. Ross, thank you very much for a profound statement, and I think that leads elegantly into Ms. VanDyke.

Welcome.

#### **STATEMENT OF KAYLA VANDYKE, STUDENT, EAGAN, MN**

Ms. VANDYKE. Chairman Harkin and Senator Enzi and members of the HELP Committee and other staff, thank you so much for inviting me to talk today and share my story, as well as talk about

some of the issues I know affect many other homeless and foster children.

I am not an expert on policy, but I do know how I have been affected by it, and I hope my experiences can help you make the choices that will improve the system.

My name is Kayla VanDyke. I am 18 years old, and I have been in 7 different foster care placements, as well as being in 10 different schools since I was 4 years old.

I have been homeless. I have experienced living in a shelter, and I have been separated from my siblings along the way. But I am pleased to tell you that despite the statistics that suggest that roughly half of foster children and homeless youth do not finish high school, I will be graduating in 4 weeks with a 3.7 GPA.

[Applause.]

Thank you.

I am on track to attend Hamline University in the fall and, right after that, complete an internship with FosterClub, which is the national network for youth in foster care.

I entered into foster care for the first time when I was 4 years old. After 3½ years of being in placements with my siblings, I was returned to my mother. Soon after that, we experienced homelessness. I completely stopped attending school. So I have no fourth grade education.

We stayed with a family friend for a few months before we were accepted into a homeless shelter in Minneapolis. It was September by then, and I can remember thinking that I should be going to school soon.

When I showed up at Lake Harriet Elementary School on the first day of fifth grade, there was no record of my education in St. Paul. But the issue wasn't pressed, and I was allowed to enter into classes immediately.

I was used to being the most motivated and smartest person in the class. However, because of my educational hiatus, I could barely keep up. I was also ashamed of where I was living, and I tried hard to hide the fact that I was living in a shelter from the other students. I became very lonely and withdrawn.

I later started receiving help from a counselor who donated her time at the shelter where I lived. She helped me overcome a lot of the emotional pain I had been experiencing as a result of my homelessness. In turn, I began to feel more comfortable at school and became engaged in activities.

Not only did she guide me, but she also helped me gain access to resources like scholarships for summer. I ended up going to the YMCA camp and for just once feeling very normal.

Looking back, I realize what a huge difference these things made in my life. Every homeless and foster youth should have the kind of support I had. While the McKinney-Vento Act provides homeless youth with advocates, these people often don't have the time or training to fulfill their responsibilities. I, myself, never came across one of these people.

It shouldn't be left up to chance whether or not someone is available to advocate for a student in need. Changes should be made to ensure that these people are accessible to foster and homeless youth so that all students have the tools they need to succeed.

At the age of 13, I was placed in foster care for the second time. After 6 months in a respite home, which is a temporary placement, I changed homes and schools. I really wanted to stay at my old school, where I was doing well and had finally found a best friend, but it wasn't an option I felt I had.

Once again, I became isolated and began falling behind in my classes. All the schools I attended taught portions of the courses at different times. So when I moved schools, I might completely miss one half of the year's lessons and re-learn what I had already learned at the other school. School change is inevitable for a foster or homeless youth, they should be able to receive the help they need to bridge the gap that might occur because they changed schools.

After many similar transitions, I finally found myself in a good home. I had a support group that gave me choice and access to things I was interested in. By my sophomore year, my grades finally started reflecting what I was capable of intellectually.

However, it couldn't erase the fact that I had skipped major steps in my linear education, which is reflected in my math and science performance. Like many other homeless and foster children who score significantly lower than their peers on standardized tests, I failed the Minnesota Comprehensive Assessment of math and only scored a 21 on my ACT.

While that may not seem so bad, it is for someone who knows they are capable of more. The effect of this has also snowballed into me having difficulties getting into college. Not to worry—fortunately, my social studies and English skills have made up for some of my educational gaps, and I have been accepted into college.

I know that if it were not for the support, I could have ended up like my sister or many other foster youth. While my sister is currently surviving, she never got the chance to pursue higher education or receive support in achieving her goals. In fact, because of the school and placement moves she experienced, she barely finished high school.

I know there are a lot of stories like my sister's. That is why my ultimate goal would be that more young people have good supportive experiences like I did in my sophomore year.

On behalf of the half million children in foster care and the 30,000 who will age out of the system this year, I would like to make the following suggestions.

Foster and homeless children should have the right to transportation to their original schools. I know personally that if I had had the option to stay at my old school, I wouldn't have had so many gaps in my education.

I also believe that schools should be required to enroll foster and homeless youth immediately and transfer credits and records quickly. I know that if my records had been transferred while I was in elementary school, I would have had the opportunity to make up the schooling I had missed. However, I am very fortunate that they did allow me to enter in school immediately.

Finally, as I have said before, counselors or liaisons should be provided for foster and homeless youth to help them succeed in education. Because being in foster care is a state of homelessness. It is very similar, and we need very similar support in that.

I thank you all again for this opportunity.  
 [The prepared statement of Ms. VanDyke follows:]

PREPARED STATEMENT OF KAYLA VANDYKE

SUMMARY

My name is Kayla VanDyke. I'm 18 years old and have lived in seven different foster care placements and attended 10 different schools since I was four. I've experienced homelessness, have lived in a shelter, and have been separated from siblings along the way. At one point, I missed my entire 4th grade year due to my family's homelessness. But I'm pleased to tell you, despite the statistics that say that roughly half of foster care youth and homeless youth don't finish high school on time, I will be receiving my high school diploma in 4 weeks. I'm on track to attend Hamline University in the fall, right after I complete an internship with FosterClub, the national network for young people in foster care.

I've been lucky enough to have an underlying awareness of the importance of education, which has always been my main motivator. I noticed from a young age that there was one main difference between *my* family and the people I considered successful and happy: *they* had an education, my family didn't.

There were things that worked in my life and education and there were things that made it very hard for me to adapt. During the instability of my childhood, my educational experience was highly impacted, leading me to make the following recommendations:

- **Like homeless youth, foster youth should be able to stay in their old school after they move to a new school district when it's in their best interest.** Transportation must be provided in order for this to be possible. As a foster youth who was never quite sure about where I would be moved next, I didn't want to inconvenience my new family by asking for rides to my old school, even though it was minutes away. It never really occurred to me that it would even be an option.

- **Assistance should be provided to homeless and foster youth to cover gaps in their education that result from unavoidable school moves.** When I changed schools, sometimes I completely missed one-half of the year's lessons and had to re-learn what I had already covered at the other school. The fact that I have skipped major steps in my linear education continues to impact me to this day. When a young person must move, special efforts should be made to ensure that their records are transferred, that they don't lose school credits, and that they receive the help they need to bridge any gaps that might occur due to the move.

In addition, I have come to realize that some key things were available to me that some of my brothers and sisters in foster care must also have to ensure their educational success:

- **Dedicated liaisons or advocates should be provided for all foster and homeless youth.** These critical adults must have the training, time and capacity to serve vulnerable children who are caught up in the kind of circumstances I was in.

At various points in my childhood, supportive adults in the education and child welfare systems dedicated time and energy to help me succeed.

- **Young people must be allowed immediate enrollment and records must be transferred promptly.** Federal law should ensure that all homeless and foster youth are allowed to attend school without delay. It should ensure that their records are transferred promptly so that they can receive credit for their previous work, and so that gaps in their education are not missed.

Ultimately, the stability I now have in my home life has helped me succeed. I've lived in my current placement for 3 years. My current foster parents support me and have helped me to advocate for my educational needs.

On behalf of the half million children in foster care and over 1 million homeless children in America, I urge you to invest in their educational stability. We all know that when we invest in the quality of a young person, we ensure that, as adults, they have the opportunity and ability to achieve their potential and goals, enjoy a higher standard of living, and help make our country stronger.

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Chairman Harkin and Senator Enzi, and members of the HELP Committee, thank you for inviting me to share my story and talk about some of the issues that I know affect many other homeless and foster children. I'm not an expert on policy but I have been affected by child welfare policies and I hope my experiences can help you make choices that will improve the system. I thank the members of the

committee for their commitment to creating a better life and a brighter future for the half a million children who are living in foster care today, and for the 1 million children who are currently homeless.

My name is Kayla VanDyke. I'm 18 years old and have lived in seven different foster care placements and gone to 10 different schools since I was four. I've experienced homelessness, have lived in a shelter, and have been separated from siblings along the way. But I'm pleased to tell you, despite the statistics that suggest that roughly half of foster care and homeless youth do not finish high school, I will be receiving my high school diploma in 4 weeks. I'm on track to attend Hamline University in the fall, right after I complete an internship with FosterClub, the national network for young people in foster care.

There were things that worked in my life and education and there were things that made it very hard for me to adapt. I think I've been lucky enough to have an underlying awareness of the importance of education, which has always been my main motivator. I noticed from a young age that there was one main difference between *my* family and the people I considered successful and happy: *they* had an education, my family didn't.

I went into foster care for the first time when I was four. I'm not sure how many times I moved at this time, but I stayed in placements with my sibling for nearly 3 years until I was given back to my mother, which is when I experienced my first school change.

Then, at the beginning of fourth grade, my family became homeless. I completely stopped attending school, so I have no fourth grade education. I remember feeling very disoriented as to where I was and why I couldn't go to school. We stayed with a family friend for a few months until we were accepted into a homeless shelter for families in Minneapolis. It was September by then, and I can remember thinking, "I should be going to school soon."

I recognize that during that time period, new Federal policies under McKinney-Vento had just passed. Perhaps, had they come just a bit earlier and had they been fully carried out, things would have been different for me. Maybe a McKinney liaison would have helped to locate me and ensure that I was enrolled in school. But I'm not sure if anyone would have tracked me down even if McKinney had been enacted years earlier. That's because many school districts fail to identify and enroll all the homeless youth in their communities because McKinney-Vento is underfunded. Clearly, McKinney-Vento should be strengthened when No Child Left Behind (NCLB) is reauthorized so that other homeless kids don't slip through the cracks like I did that year.

After we left the shelter and when I showed up on the first day of school for fifth grade at Lake Harriet Elementary School, there was no record of my education in St. Paul, but no one pressed the issue and I was allowed to enter classes.

During this time, my academics had really suffered due to all of the school I had missed, the emotional stress I was under, and the general chaos I had experienced. I was used to being the most motivated and smartest person in the class. However, because of my educational hiatus, I could barely keep up. I was also ashamed of my home life and tried hard to hide the fact that I was living in a shelter from the other students. I became really depressed and withdrawn.

Later in fifth grade, I started receiving help from a counselor who donated her time to the shelter where I lived. She helped me overcome a lot of the emotional pain I had been experiencing as a result of my homelessness and educational struggles. In turn, I began feeling more comfortable at school and became engaged in activities. Not only did she guide me, but she also helped me gain access to resources like scholarships for summer camp—I ended up going to the YMCA camp and for once just feeling normal. Every homeless and foster youth should have a liaison or advocate like I did—someone to assist a child like me who was struggling to keep up. While McKinney-Vento provides homeless youth with liaisons, these liaisons often don't have the time, training and capacity to fulfill their responsibilities because the program is terribly underfunded. When NCLB is reauthorized, this problem should be addressed.

I also think foster youth should have access to scholarships for extra curricular activities as well as the option of having either a counselor or therapist to work as their advocate. Looking back, I realize now the huge difference these things made for me. Without access to these opportunities or my counselor, I am not sure that I would have had the motivation to overcome the difficulties I was having at home and in school. I wish that every young person who is experiencing trauma—whether it be homelessness or a challenging time in foster care—could have this experience with a person who is understanding and dedicated to providing the support a kid like me needs.

At the end of that summer, my family moved from the shelter to a low-income housing complex in Burnsville—another school move for me.

But then, a little less than 2 years later, my siblings and I re-entered the foster care system. We were placed in a respite home for 6 months, but then were moved again to a foster home which required yet another school move. I really wanted to stay at my old school where I was doing well academically and had finally found a best friend. But as a foster youth who was never quite sure about where I would be moved next, I didn't want to inconvenience my new family by asking for rides to my old school, even though it was minutes away, and even though I would have been able to attend the school because Minnesota, unlike other States, has an open enrollment policy. It never really occurred to me that attending my old school would even be an option.

Just like the McKinney-Vento Act gives homeless youth the option of remaining in their old schools, NCLB should also provide foster youth with this option. Transportation must be provided for this option to be real. I think that remaining in one's old school should be offered up as an option, for kids like me who don't think to ask, or feel like they shouldn't rock the boat for fear of losing their place to live.

In 9th grade, my sister and I were moved out of our foster home due to abuse that was taking place. I moved to another school, but since it was a move up to high school, many of the other kids were new, too. It was at this time that I started to recognize the impact that my many school moves had on my education. All the schools I attended taught portions of the courses at different times, so when I moved schools I might completely miss one-half of the year's lessons and re-learn what I had already learned at the other school. When NCLB is reauthorized, the new law should minimize the number of times foster and homeless youth have to change schools. When they must move, the reauthorized NCLB should ensure that their records are transferred, that they don't lose school credits, and that they receive the help they need to bridge any gaps that might occur because they changed schools.

In 10th grade, I changed homes one more time, this time for good. This also meant another change in schools. I've lived in my current placement for 3 years. The stability this provided me allowed me to connect with people at my school and in my community. These people include my foster mother, social worker, therapist and two counselors from my previous schools, who all worked as a team to help me accomplish my goals and connect me to resources. Not only did they help me catch up academically, but they were also crucial in helping me stabilize my emotions. It was amazing—to have a team of people who cared about my success and could help me accomplish my goals. Every homeless and foster child should have a team like I did. When NCLB is reauthorized, the law should help ensure that child welfare and school district staff work better together to address the educational needs of every foster youth.

My sophomore year was successful because I had a support group that gave me choice, support and access to things I was interested in. At this time, I was able to experience something that I think is pretty unheard of in foster care. I was able to become an exchange student. When I came back from my exchange experience, I chose to go to a different high school that was smaller and more catered to my educational interests. Yes, it was a school move, but it was *different*—because I got to *choose*. I finally had a stable loving home and a school I felt comfortable in. The result was that my grades finally started reflecting what I was capable of intellectually.

However, it couldn't erase the fact that I had skipped major steps in my linear education. Math and Science have always been my weakest subjects and despite my efforts to learn what I have missed, the fact that I have gaps in my education has hindered my ability to both learn and take crucial tests. Like many other homeless and foster children who score significantly lower than their peers on standardized tests, I failed the Minnesota Comprehensive Assessment of math and only scored a 21 on my ACT. While that may not seem so bad, it is for someone who knows they're capable of more. The effect of this has also snowballed into my having difficulties getting into college. Since coming to my current school, I've been mostly an A and B student, but I know the inconsistencies in my education have hindered my ability to excel in areas like math and science.

Not to worry—my social studies and English skills have made up for my shortcomings and I've been accepted into college. It may not be the first college of my choice, but I know that I will succeed.

I also know that if it were not for the support I received and my awareness of how important education was for me to get out of the poverty cycle, I could have ended up like my sister or like many other foster youth. While my sister is currently surviving, she never had the chance to pursue higher education or receive support in achieving her goals. In fact, because of the school and placement moves she expe-

rienced, she barely finished high school. I know there are a lot of stories like my sister's. That's why my ultimate goal would be that more young people have good supportive experiences like I did in my sophomore year.

To summarize, for the half-million children in foster care and over 1 million children who are homeless, the following NCLB reforms are critical.

- School stability must be ensured. Foster youth should be able to stay in the same school when it's in their best interest. Transportation must be provided in order for this to be possible.
- Young people should be allowed immediate enrollment in school and their educational records must be transferred promptly.
- Dedicated liaisons and coordinators should be provided for all foster and homeless youth. These critical adults must have the training, time and capacity to serve vulnerable children who are caught up in the type of circumstances I experienced.

We all know that when we invest in the quality of a young person, we ensure that, as adults, they have the opportunity and ability to achieve their potential, enjoy a higher standard of living, and help make our country stronger.

Thank you all again for this opportunity.

The CHAIRMAN. Kayla, thank you very much for being the capstone on all of the testimony we heard before. You are a remarkable young woman, remarkable. We wish you the best in your future endeavors.

Ms. VANDYKE. Thank you.

The CHAIRMAN. Hamline University?

Ms. VANDYKE. Hamline.

The CHAIRMAN. Hamline University. Where is that?

Ms. VANDYKE. It is in St. Paul.

The CHAIRMAN. St. Paul.

Ms. VANDYKE. Minnesota.

The CHAIRMAN. Minnesota.

[Laughter.]

Ms. VANDYKE. He knows.

The CHAIRMAN. That is very remarkable.

Kayla, just one thing, I heard it both from you and Ms. Ross, and that is the provision of attending the school of origin.

Ms. VANDYKE. Yes.

The CHAIRMAN. You put a lot of emphasis on that. So did you, Ms. Ross. Just tell me again in your own words, you have said in your statement your original school was only just minutes away, but you just felt like you couldn't impose upon your foster family to drive you there.

Ms. VANDYKE. I didn't know it was an option in Minnesota to even go to your original school. There are two major points there. One is the emotional well-being of the student. You make a friend group. It is very important for children to feel comfortable and stable, to know the teachers, feel comfortable in the environment.

When you move someone, especially in the middle of the year, they are starting off. They don't have friends. They are already experiencing a lot of emotional trauma from the move, trying to adjust to their home life as well as their school, and that can make learning very difficult.

It is also, like I said, that educational gap. Schools do not teach the same thing at the same time. And when you change schools, you may be relearning what you already learned. You may have completely skipped a section of your education, and there is no way to really make that up without completely repeating a year.

The CHAIRMAN. Let me just say you are a well-spoken young woman.

[Laughter.]

As one of my daughters would say, you are kind of awesome. Boy.

[Laughter.]

One of the positive things that the No Child Left Behind Act did, and I have said this before, was it really has shown a bright light on the achievement gaps that persist especially for students with disabilities. Now, as we look at this, the one thing I keep hearing from all of you—and I have said to Senator Enzi, we heard from other witnesses—is this idea of getting a growth model, basing things on a growth model rather than trying to get close to some unattainable goal.

I wanted to ask again Ms. Hundley about that in terms of students with disabilities. Right now, nationwide, about 64 percent, 65 percent of people with disabilities are either underemployed or unemployed. But yet you have had a great success in getting people employed and into higher education.

It almost seems like you had a growth model that you were using in how you dealt with students with disabilities. Can you expand on that just a little bit more?

Ms. HUNDLEY. I will have to be candid. What I told my staff when we saw the AYP targets was don't worry about the targets. Do what needs to be done. The motto we have in Littleton is, "Do whatever it takes." And if it means job coaching, hand over hand, on the job, if it means finding the employers then we continue to say to them, "Please persist. Don't give up on our child."

We do a lot of individualized job placement, a lot of individualized coaching. The parents are clearly a partner. We do a lot of planning with families for what their priorities are. So that child getting into that job or getting into higher ed is not solely our doing. It is also a result of what the family has stated with the child what that level of support is.

But, yes, ours is very much based on where the child is now, where they need to go, then planning backwards for how to get them there.

The CHAIRMAN. I am very intrigued by your followup. You say you do that for 5 years after?

Ms. HUNDLEY. For the past 5 years, we call 1 year out.

The CHAIRMAN. One year out.

Ms. HUNDLEY. The reason we have only done 1 year out, and many people have said to me, "Why don't you do it 5 years, 10 years?" It is hard to find the student, and it is hard to find the parent. Phone numbers change, e-mail addresses change.

The CHAIRMAN. What do you find from that 1-year followup? Do you get good information about maybe changing how you did this or how you did that or—

Ms. HUNDLEY. The kids have said to us, a teacher made all the difference in the world for me. Most of them say, "I wish I was a better reader. I wish I was a better writer, and I wish I could do math." But that is OK because my cell phone has a calculator. That is pretty consistent.

[Laughter.]

Here is one other point. Many young adults with disabilities do not want to be viewed as a young adult with a disability. So when



we call them, they are reluctant to talk to us because they have already moved into thinking they are a young adult with ability.

The CHAIRMAN. That is what we have been trying to do since ADA does not look at a person's disability, but look at what they are able to do and focus on that. So I thank you for that.

Senator Enzi.

Senator ENZI. Thank you, Mr. Chairman.

I will begin with Ms. Hundley. Groups are divided on whether or not a student's individual education plan, IEP, should also be used as an accountability tool. Does the Littleton County School District use IEPs in this fashion, and why or why not, and what do you think about it?

Ms. HUNDLEY. Are you also getting to the external assessment as an accountability tool? Or do you just want me to respond to the IEP question?

Senator ENZI. Primarily the IEP question for right now. We will do the other one in writing.

Ms. HUNDLEY. IEPs are essentially a contract for that individual student, and the goals and objectives that are developed are specific to that child's goals related to their disability. I believe it is in some part an accountability tool in terms of our contract with that child and that parent. But in terms of an accountability tool for that child's achievement and setting the bar high, I think that we don't necessarily have an automatic assumption of how high that student can perform without a little bit of external pressure.

The IEP is more gauged around, what is possible for you to achieve in a year, and it is always disability specific, as well as utilizing a child's strength. But I don't think it gives us the adequate pressure or the adequate objectivity that we need in looking at setting the bar as high as we can for student achievement.

I am not discounting it. I think it is part of our accountability system, but not the only.

Senator ENZI. Thank you.

Ms. Ross, through the McKinney-Vento program, the Federal Government has placed a lot of requirements on the school districts in terms of services they are required to provide for the homeless students, and you and Kayla have talked about these students being uprooted if they get permanent housing and for other reasons.

Have these reporting requirements resulted in better service for homeless students or more paperwork and red tape for you and your office? Are there some things we ought to streamline or eliminate?

Ms. ROSS. Well, I think that more so than eliminating, I think there are areas that can be strengthened. And the big piece, as Senator Harkin asked about earlier, the school of origin directly correlates with transportation, and transportation is like the primary backbone, I guess I would say, for McKinney-Vento. Transportation is needed to the school of origin.

For those of you that don't know, school of origin would be the school they attended prior to becoming homeless. Because the transportation costs are astronomical to the tune of in our school system last year, we spent over \$5 million on just transportation for homeless students. Because of that astronomical cost, some

school systems are under identifying, and there is pressure on staff to under identify homeless students.

So a couple of things, if more funding can be put in place, if there could be separate funding and separate agencies being responsible for homeless and foster children because I do agree that the needs mirror each other.

The other piece that you touched on is I don't think the law is written strong enough and specific enough so that school systems realize that just because a family obtains permanent housing or regular fixed adequate night-time residence mid-way through the school year that you pull the transportation services, and therefore, the kids can no longer go to the school of origin unless they can provide their transportation.

I like to refer to that part of McKinney-Vento, the school of origin as the calm in the midst of the storm. So there are things that need to be strengthened.

Senator ENZI. I appreciate that. I am not real familiar with that because I am from a very rural area. And so, if they get accommodations in the community at all, it is still the same school. If they go to another town, the transportation wouldn't be the cost. It would be the time. Children might have to ride on a bus for an hour and a half each way.

So I appreciate the additional information and emphasis there, and I need the introduction to the urban atmosphere as well. So thank you.

Ms. ROSS. Yes. Thank you.

Senator ENZI. Ms. Medina.

Ms. MEDINA. Yes, sir.

Senator ENZI. There are a lot of concerns about the requirements for documenting whether or not children qualify for migrant education programs. How has your program worked with families to document eligibility?

Ms. MEDINA. In Pennsylvania, we have recruiters. These recruiters are very well known in the community. They are in communication all the time with school districts, with the growers, with the different agricultural businesses in the area. Even by word of mouth, the program has been identified.

We have, as an issue from our Federal office, a national certificate of eligibility, where there is specific questions that address the eligibility of the children, as I mentioned earlier in my testimony. These recruiters will ask these questions to the families to ensure that the child qualifies properly.

I am talking on behalf of Pennsylvania—after the certificate is completed, we have a verification process where we have committees that will review all the information obtained, and we will secure verification of that information. In other words, if the family said that they came to the area to work, for example, at Tyson Foods processing plant, but they came and they are no longer hiring, we already had made good relationships with those companies that we can talk to the companies and they will verify the information.

As soon as the information is verified—and we are very strict, we have a 7 working days limit to have all the information collected and verified—services will start immediately.

Senator ENZI. Thank you, and I have questions for both Kayla and Dr. Hinojosa, too. I appreciate your testimony and I will submit those questions in writing. I appreciate your response.

Thank you.

The CHAIRMAN. Thank you, Senator Enzi.

Next I have Senator Franken.

Senator FRANKEN. Thank you, Mr. Chairman.

Ms. VanDyke, Chairman Harkin's daughter would call you awesome. I am sure a lot of people would. I think that your current foster parents are probably pretty awesome, too. Is that right?

Ms. VANDYKE. Yes, they are.

Senator FRANKEN. Senator Enzi brought up a few things about and led to the school of origin. Some of the parents that you had probably—foster parents weren't so awesome. Is that correct?

Ms. VANDYKE. No, not all of my foster care placements were successful, and there is a number of reasons for that. Do you want me to go over them?

[Laughter.]

Senator FRANKEN. I know you would like to. But the reason I bring this up is, is that the importance of transportation. Because when you talked about you really not knowing, as a foster child, that it was your option to go to a school of origin. But I remember reading that you wouldn't, didn't want to ask your new parents to provide the transportation, even though, Senator Enzi said, it was only a few minutes away.

Ms. VANDYKE. Exactly. It goes back to that emotional stability. You are in a new home. You don't know these people. They have already made accommodations for you. You feel like a burden. So, when you go out of your way to ask for yet another accommodation, it just feels like you are more of a burden to the family.

Especially when you are used to moving a lot, you want to make a good impression. You don't want to rock the boat so that you are seen as a burden. You are seen as someone that isn't manageable, and so—

Senator FRANKEN. Obviously, they sort of—these foster parents didn't make you feel like you could say, "Hey, I might want to get a ride every day to my old school?"

Ms. VANDYKE. Yes, absolutely.

Senator FRANKEN. This is why Senator Murray and I have introduced a bill and part of it is to address this problem, the Fostering Success in Education Act, and it would require school districts to collaborate with child welfare agencies to enable foster youth to remain in their old schools. Part of this would be providing some kind of arrangements or funding for transportation.

If that requirement existed at the time, would that have changed things for you, made them better?

Ms. VANDYKE. It actually depends. I mean, if I had known about it, it would have changed it perhaps. Like I was talking about liaisons and counselors, those people who can actually just communicate with a foster/homeless youth to tell them what is available, I think that is important.

Because you can have as many resources on the table as you want, if foster/homeless youth can't get access to them, if they don't

know about them, they are just going to sit there. You need to make these options accessible to people.

Senator FRANKEN. Well, that is part of this bill, too, to make those people—to make liaisons and counselors accessible and also give them time and training to be accessible to you so that they can help the foster child. What difference would that have made if you had that earlier?

Ms. VANDYKE. If I had that when I entered into fifth grade at Lake Harriet, first of all, the fact that I was allowed to enter in so quickly was due to a collaboration between the shelter I had been living at and my school. So that was, again, the real importance of collaboration.

However, if they had contacted my school in St. Paul, they would have realized that I didn't have that fourth grade education. I would have gotten the opportunity to repeat the fourth grade to make up for what I had lost in my education. At that point, if there had been a liaison there, I probably would have gone into the foster care system immediately because of my home situation.

I probably would have been adopted right now. My education would probably be that of a normal high schooler.

Senator FRANKEN. So, essentially, you have missed a grade of school.

Ms. VANDYKE. Yes.

Senator FRANKEN. You missed fourth grade. So you have a 3.7 despite missing fourth grade.

Ms. VANDYKE. Yes, I have really had to—

Senator FRANKEN. So you skipped a grade, even though that wasn't quite your intention at the time.

[Laughter.]

Ms. VANDYKE. I have really had to work the last year and a half in my stable placement to really get my grades up, and that is a product of being in a stable placement and having those choices and options.

Senator FRANKEN. So, and if you had had that extra year, if you had had that year—

Ms. VANDYKE. I think I would have been a 4.0 student. I know I would have been accepted into the university or any other school I applied to. I consider myself a good student. I love learning, and if I had had the kind of opportunities that just normal students have had, having that linear education, that uninterrupted education, I am sure I would be in an even better place than I am now.

Senator FRANKEN. Well, my prediction for you is a bright future. Thank you.

Ms. VANDYKE. Thank you.

Senator FRANKEN. Thank you, Mr. Chairman.

The CHAIRMAN. I will now turn to Senator Mikulski.

Senator MIKULSKI. Thank you very much, Mr. Chairman.

I would like to pick up on what Senator Franken said. My own background before I came into politics was that of a social worker, and I started out as a foster care social worker and later became a protective service worker.

So my heart goes out to you and what you have done, and I would just like to congratulate you, Senator Franken, on what you

and Murray are doing. I would like to be a co-sponsor of that, please.

Senator FRANKEN. Please. Thank you.

Senator MIKULSKI. I just want to bring to the Chairman's attention, the foster care system is broken in this country, and I think we have to really put that out on the table. We have watch lists to track terrorists, but we don't have a tracking system to see where our own children are when they are uprooted.

Here, we have talked about the homeless child, the foster child, the migrant child, the child coming from another country in hope of the American dream. All of the children we have talked about in some way are uprooted children, and if they can't be connected to a home—they at least need to be connected to a school system, which becomes their home by proxy.

As we work on this, one strategy is to look at the broken system, but also many of the children get lost because they are the uprooted children. I don't mean to give a speech about that, but I feel very strongly about it, and I would like to compliment all of you who work in this incredibly challenging field.

Ms. Ross, your recommendations are outstanding, but I want to go to Ms. Hundley for a minute because she talks about workforce. We have talked about requirements, the growth model, which I think is excellent. We always talk about resources, but another thing we must consider is what are the workforce needs, and how do you think we can best address them?

Whether it is direct support for teachers, or school support. It is obvious we need to talk about social workers, nurses, as well as the devoted counselors that help the kids have someone to talk to. You have talked about it in your testimony, but what concrete things would you recommend to both bring people into the field, and help them stay in the field?

Ms. HUNDLEY. Are you talking about special education staff?

Senator MIKULSKI. Yes. I am talking about services along the lines we are talking about, yes.

Ms. HUNDLEY. I am a strong believer in some kind of a mentoring type of program. There needs to clearly be incentives, and I could broaden this beyond special education, I am sure, to some other folks that my colleagues here might also be concerned about shortages.

In Colorado, we have a Teacher in Residence program that I think has merit to potentially expand.

Senator MIKULSKI. That is the program, but is it funded in the law?

Ms. HUNDLEY. No.

Senator MIKULSKI. I am not going to be the school superintendent. We need to be able to say what are the specific things that need to be done that isn't included in the law?

Ms. HUNDLEY. I would put that under the category of incentives to develop programs to draw people into higher ed or who are already placed. In the Teacher in Residence program, they are placed already in a contracted, full contract for a teacher teaching students with disabilities, and they are a full-time student as well.

It is organized so that they get the training and support at the theoretical level in the classroom and mentoring on the job, hand

over hand coaching on the job site. There are incentives for them. I do not know if it is federally funded or if it is State funded. It is a State school that we are partners with.

But I guess I would categorize, to get to your question, how could there be incentives in the law for higher education to develop an alternate model—

Senator MIKULSKI. No, I don't want it in higher ed, right out there in the field.

Ms. HUNDLEY. Oh, you are talking about a job—yes. OK. I am sorry.

Senator MIKULSKI. OK. Well, my time is starting to run out here. So one is to attract people while they are in school.

Ms. HUNDLEY. Yes.

Senator MIKULSKI. But then once they go into the field, if they are going to be measured the way we are with our Race to the Tops and “whoo-ha-oo-ahh”—

[Laughter.]

I wish our banks were as regulated as our teachers. The fact that then the teachers are evaluated based on an ideal of student achievement, rather than the growth model that is suggested here. Why wouldn't you pick a cushy suburban school with a lot of resources and parental involvement when you are going to be evaluated in such a stern way?

So the question is that, No. 1, how we should evaluate our teachers and how should we evaluate our children. The second is how do we get people to come into a field that is tough? You know, my work as a child abuse worker so many years ago left a searing and indelible mark on me because of what I saw when working with these children, and their mothers. So this is not an easy field to be in, and each and every one of you are in it.

Ms. Medina.

Ms. MEDINA. Yes, I shake my head because my husband is a children and youth emergency worker as well. So I understand what the children are going through. Specifically, with migrant families, the children fall through the cracks because in the system a lot of times they can see where the child is while their living crop is going to be over in October—

Senator MIKULSKI. Isn't it hard to find people—I am not minimizing.

Ms. MEDINA. Yes.

Senator MIKULSKI. But I am back to how do we help the children? Doesn't it take a very highly unusual and specialized person to work with these students who have such unique challenges?

Ms. MEDINA. Yes. Yes, and in Pennsylvania, we have a position under the migrant program on the field called student support specialist that dedicate their time, and they get trained. We spend hours and manpower, training them to provide those skills because, unfortunately, when they come to the field to work, they really don't know the reality of the job, and it is working with children with so many obstacles. And we provide hours.

One of the things that we are doing in Pennsylvania now as teacher preparation is we are including 150 hours of field work where the upcoming teachers are going to be going to different set-

tings, and they are trying to match them on settings where they don't reside. In other words, if they are coming from rural—

Senator MIKULSKI. Right.

Ms. MEDINA [continuing]. Then work in an urban or suburban school and volunteer. This is volunteer work.

Senator MIKULSKI. Well, that is excellent, Ms. Medina.

I know my time is up, and I really would look for and will followup with questions. But really, my questions are how do we both recruit and retain the workforce and also what support services are needed, which aren't currently included in Federal law?

My time is up. Mr. Chairman, I just want to make one observation for another population that I think needs special attention, and that is our gifted and talented children who are often isolated, often lonely. There is a myth that, somehow or another, only rich kids are smart. And also really smart kids don't need extra help.

I think the work that has been done at Hopkins and the work we see in our communities proves that is not so. I know this committee shares the belief that intelligence and ability is randomly distributed through the population, and there is a gifted and talented kid in every barrio, as they are in an affluent community. So I would hope we would also look at the gifted and talented children.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Mikulski.

We have one here with us today in Kayla VanDyke.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

I apologize I was not able to be here for the testimony of each of you. I have had an opportunity to look through your written comments.

But I was meeting with a small group of Alaskans that is involved with a science and engineering program designed specifically for Alaska Natives. It is one that I can get very, very excited about because we are going into small villages where oftentimes the educational opportunities may be limited because it's difficult to recruit teachers out in those areas, certainly to retain them. We are not able to offer a full complement of the sciences in physics and higher calculus.

What this program is demonstrating is that when the expectations are set high, when you know that as a junior in high school, you can take apart and rebuild a computer and make things work and figure it out on your own, all of a sudden, the world opens up to you.

It is just a reminder to me about the expectations that we have for our students, whether it is those with limited English proficiency, whether it is those with disabilities, whether it is those that have a home life as has been described here that is exceptionally challenging. But again, it comes back to the expectations that we have of our young people.

Mr. Hinojosa, I want to ask you about the flexibility that we have to assess students in their native languages. I am a big proponent of language in the schools, immersion languages in the schools. My kids were beneficiaries of that in the public schools in Anchorage.

I have been working to encourage, particularly in our rural communities, that our students have access to their native cultural languages, and be instructed in that. We are seeing that a real demonstration of school is now much more relevant to our kids.

But we are in a situation where you are not able then to assess in the native language necessarily because either you don't have enough speakers of the language or it doesn't lend itself to the formal assessments, and that is what we are finding with Yupik instruction, for instance. What is your recommendation for assessing student academic proficiency when the assessment is not in the child's first language? How do we deal with this?

Mr. HINOJOSA. Senator, that is certainly a huge challenge, and we are very fortunate in Dallas that 96 percent of the students that we have, Spanish is the language. But we get refugees from Afghanistan, the Congo, Somalia, and we have that similar difficulty as you describe in Alaska because it is a very critical point.

Because if you cannot determine the student's proficiency in their native language, then it is very difficult to prescribe what needs to happen next. And so, that is a critical point. We seek volunteers. We have a lot of community agencies that do help us out whenever we don't have staff to help us determine that.

But that is a critical point that local resources have to come in and help because we really believe that if you can get proficient in your native language, it is much easier then to transfer and become literate and proficient in a second language. Many of the students that we get, we get students in high school that have never held a pencil. They have never worn shoes, and they come from the Congo, and we have a huge challenge to get them prepared to be successful academically.

I don't have a silver bullet answer for you, but we know that it is a smaller issue for us, since only 4 percent of our students fall into those kind of categories. But I can just imagine—but it is an issue to be focused on because it is critical that we understand that is a big part of what has to get accomplished.

Senator MURKOWSKI. Well, and I think we recognize whether it is Alaska Natives or we see with our American Indians, when we can incorporate the native culture into the education, I think we are seeing a resurgence in interest in what is going on in the classroom. Again, the relevance. But if we can do more with incorporating the language, I think that that helps us. But we struggle with then how you deal with the assessment.

I want to ask you just one more quick question here, and this also relates to how we deal with it with the testing. You have recommended that we codify the current regulation that the LEP students not be required to be tested in their first year here in the United States. And I don't have any problem with that, certainly.

We have an interesting situation going on in Alaska. You might not think about it, but we have a pretty significant Hmong population in Anchorage. So what has happened is they have come to California. That has been where they have come into the United States. They have been provided instruction in Hmong there in California. Then they come to Alaska.

They have no English proficiency, but they are not eligible for this exception because they have been in the country now in excess



of a year. And so, we struggle. What do we do at this point in time? Got any answers?

Mr. HINOJOSA. That is a difficult challenge because we do want to be held accountable. One of the best things about the previous law is that now we are held accountable for all student groups, and yet there needs to be some reasonableness in the law—

Senator MURKOWSKI. Got to have some flexibility there somewhere.

Mr. HINOJOSA [continuing]. And some flexibility for situations like that that occur. Certainly, I don't know how to draft a bill, but that would be something that would be important to consider in a kind of situation that you describe because now they are in their second year, and now the stakes get very high.

Senator MURKOWSKI. Right. Well, if any of you have any suggestions that you would like to provide to us as we work on this, we would certainly be appreciative.

Thank you all.

The CHAIRMAN. Thank you, Senator Murkowski.

Senator Bennet.

Senator BENNET. Thank you, Mr. Chairman.

I apologize that I was away. That is the worst manners possible—to come back and ask questions, but I wanted to get one to Ms. Hundley and one to our superintendent.

You mentioned in your opening testimony the importance, as we think about the reauthorization of this law, of maintaining or creating the flexibility that you need to build capacity. I just want you to take a few minutes to underscore what you mean by that so the committee can hear it because I agree that it is enormously important.

Ms. HUNDLEY. Are you referencing my request for flexibility in use of funds?

Senator BENNET. Yes.

Ms. HUNDLEY. I am happy to expand on that.

Senator BENNET. Thank you. I thought you would be.

Ms. HUNDLEY. When Federal funds are currently only able to be used directly for supports for students with disabilities, meaning direct service, and they are driven by licensure laws that you can only use them for staff that are licensed in special education, our hands are tied. Special ed folks may not be the right folks to do the literacy instruction for an adolescent who is struggling in reading and who also has a disability.

We also need to be able to build capacity in general ed folks to understand how to differentiate how to make accommodations, how to modify curricular focus. We need to have special ed folks be trained in general education supports by general educators, and all of that costs money. So a lot of that is around training and building capacity, but it is also about paying the right people to do the right kind of instruction as we are pushing for these high achievement goals.

Senator BENNET. I think it is just such a tremendous illustration of what happens sometimes when we pass laws here in Washington and don't pay enough attention to what is actually going on on the ground. The chairman and I have talked about this before in terms

of transportation of special ed students in the Denver Public Schools.

We were spending, partly because of the law, partly because of habit, roughly \$9,000 a child to transport them a year in the Denver Public Schools, which is money that could have been used to support the work that you are talking about, to provide services to kids. Transportation is an important service, but we need to figure out how to write these rules rationally, I think, so that you have the flexibility you need, and I appreciate it.

Mr. Superintendent, it is great to see you, and this is a question that is unfair. If you want to answer some of it in writing, I would love to take your answer. But as you step back, having had the successful tenure you have had, and 5 years in one of these jobs is an extraordinary achievement. But to have gotten there and to have survived is great, and it is great to see you.

When you look at this entire reauthorization and you think about the pain points that you have in doing what you want to be doing on a daily basis in Dallas, share with the committee a little bit what you would do if you were sitting up here to rewrite the legislation so that it helps support the work that you are trying to do.

Mr. HINOJOSA. Well, I am sure I can cover all of that in a minute and 54 seconds.

[Laughter.]

I am from South. I speak slowly. So I don't know if I can get it all in. Certainly, thank you for the opportunity to give some input.

There are a lot of points that can be addressed. Specifically, right now, districts are required to have outside—reserve 20 percent of our funds in title funds for outside providers to provide interventions. Sometimes, people, the students get recruited with flashy laptops or cell phones to come sign up with one of these providers, and they may or may not have an impact on their academic performance.

For us to have to reserve 20 percent of our funds to do that, that just ties our hands to where we could provide the exact example that you made about provide direct service for these students that we have just described that have tremendous needs on the ground right now.

I think flexibility, going forward, is going to be critical. There is not a panacea. There is not a silver bullet for any of these. One of the reasons we have had success is because of what you describe—we have had the ability to implement some of these programs. Before I got to Dallas, there had been 7 superintendents in 10 years. A lot of them had great ideas, but by the next one, it was gone. So, it is just the pressures that you have in trying to implement the system.

I think one of the previous Senators also brought up a very important question. If I am a great candidate for instruction, I am a great teacher, and I am going to go to a school district that is going to get all these sanctions and get punishment because of what the expectations are for me in a very hard-to-serve community, or I could go to a community that doesn't have those pending sanctions coming down, then the higher-quality individuals won't be going where the greatest need is.

We need to look at what are the unintended consequences of some of those activities as we roll out great ideas. But on the ground, I think what I would implore of you is to continue to have forums like this, where you talk to people on the ground. Being a former superintendent, you know that we got things and sometimes if we didn't have input, we could have pointed out some unintended consequences that were coming down.

I really appreciate having this opportunity to come and at least have this input on that one specific item. But going forward, I would encourage you to talk to the field and let us know, and we can help maybe avert some of the things that are really good ideas, but when you get to implementation become an obstacle and a burden to implement.

Thank you, Senator.

Senator BENNET. Sure. Thank you, Mr. Chairman.

I appreciate it. I think that it is important for us to figure out a way to establish a feedback loop here in real time. We have gone between the passage of the bill to the reauthorization. We could have gained so much wisdom and knowledge from people saying, "Did you really mean this?" I think we could have changed things that would have made a material difference for our kids and for our teachers and for all of you.

Something we tried to do in the district when we were doing the reform was constantly take feedback from the teachers, and we changed things as a result of that.

I know that, Ms. Hundley, you and Senator Mikulski had a discussion about incentivizing special ed teachers. I just would like to give you the chance if there is anything else you want to say on that.

We live in a country where we have had a chronic shortage of special ed teachers for decades, and we are in general paying people that are in affluent elementary schools—which is a hard job. There is no doubt about it. All these jobs are hard—essentially the same as we are paying people to be a special ed teacher in a high-poverty high school. Do you have any more reaction to that or what we could do to help with that dilemma?

Ms. HUNDLEY. Money in one's pocket obviously is a draw, but I think we have to recognize what hard work it is. I know your question was specific to teachers of children with disabilities, but I think that is true for many at-risk kids. It is hard work.

I think we have to recognize that folks need ongoing coaching and that turning them out from school, from higher education when they haven't had a lot of what I call "boots on the ground" opportunity, they need ongoing mentoring, ongoing coaching. We need to have ways to connect as a school district in partnership with higher ed. Higher ed needs to have incentives or reasons to partner with school districts to make the training real.

That is why I mentioned the Teacher in Residence program at Metro State. They don't have a lock on all the answers, but it is a model that we find is working, and it gives people a more sheltered opportunity to be trained over time.

Senator BENNET. One last question for our superintendent, which is could you give the committee a perspective on the way Washington accounts for money in these different titles and the way that

might either support your efforts to budget and support kids in your school district or contort your effort to be able to support the children in your school district?

Mr. HINOJOSA. Yes. It becomes a significant issue in trying to implement and trying to marshal your resources, and the lack of flexibility in trying to address certain issues. Such categorical funding that requires such time and effort, documentation from every—if you have an individual that is funded out of two different Federal programs or out of a State program and a Federal program, they have to have a very sophisticated time and effort to document everything that they do when the services of the homeless students may be a same service that you have a limited English proficient student and all these other services.

That makes it very complex on the ground, and then the fact that you have to make sure that everything is addressed in a very specific way, whether it is a district improvement plan or a campus improvement plan. The principals spend a lot of time trying to figure out how to comply with the rules, as much time as they do to provide services to the students who need these items.

So there is a lot of complexity. I know we have to be accountable for our Federal funds. I know that is an issue. But there has got to be a better way that we can make it easier for the people on the ground to actually deliver those services. It is a balancing act, but we do appreciate the fact that there are more resources coming from the Federal Government. We do appreciate that, the different things that are coming.

So it is a lifeblood, especially for urban districts where we have all these students with these significant needs.

Senator BENNET. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Bennet.

I have a couple of followup questions, and maybe Senator Franken does, too.

Dr. Hinojosa, one of the things that caught my attention in your testimony was that districts should be given incentives to keep students in school that have not graduated in 4 years. You said it should not be a disincentive for districts and schools to continue to educate students who will be counted as dropouts. Credit should be given for drop-ins.

Would you expand on that just a little bit for me?

Mr. HINOJOSA. Yes, sir. In fact, we have done an analysis of our students. We have discovered that we have close to 1,000 under credited and over-age students. And when you peel back the onion, these students are never going to be counted in the graduation rate because they are not going to graduate with their cohort.

These are students that may be 17-years-old and are freshmen with recent immigrants and maybe other student groups. The schools that have been identified in Dallas that are eligible for school improvement grant, almost every one of them, the only reason they are there is because they haven't had a 60 percent graduation rate in 4 years.

What we would like to do is we keep these students in school, help them accelerate their instruction. We are starting a campus for over-age students next year, and we get them caught up. Maybe

we could have an incentive on the back end. It may have been 58 percent that graduated in 4 years, but we got kids to graduate in 6 years, and maybe we would get an incentive and that offsets some of the liability of the 60 percent graduation rate.

We know that is important for us to have, and we would like to see for those schools especially that have many students that are over age that are unschooled, that we have some ability to recapture back up to that 60 percent graduation rate at some element.

The CHAIRMAN. I agree, and I incorporated the idea into a bill I have called The Every Student Counts Act. I think that this is something that we need to get incorporated into the reauthorization of ESEA, as well.

Ms. Medina.

Ms. MEDINA. Yes, sir.

The CHAIRMAN. A few years ago, I was contacted at a different hat I wear on the Appropriations Committee by Defense Department employees who said that one of the problems they have with military personnel is when they move from base to base, their kids move from one school to the other, and they get dropped in the school, and the school doesn't really know about the student's background.

They know they were in the fifth grade. They may have a report card or something like that, but they really don't know a lot about that child. So, we started a program called a Project SOAR. I have watched it over the last few years, and I have heard a lot of positive feedback.

The program established a system that allows school districts to better coordinate in order to meet the needs of students who have to change schools when their parents are transferred to other bases. So, the teachers in the school, administrators know right away where that child should be and what they need help and support in.

Would something like that be helpful for migrant workers, or do we know where they are going? Do their families know where they are going on their next job?

Ms. MEDINA. Yes. Two years ago, the Office of Migrant Education instituted a system called MSIX. MSIX is a data collection system where right now 30 States already have like data, and they are doing in cohorts to get the States with their data input.

Your data system is from your basic demographics to also credit information where the student gets their own identifiable number, migrant number. So if a student is moving from Pennsylvania to the State of Maine, that information is in the system, and the State of Maine can retrieve the information out of that system.

The goal is that all the information is there for the student. So we no longer say, the child is missing credits or the information to get them in school and get them at speed as well.

The CHAIRMAN. Is that electronically transmitted?

Ms. MEDINA. Yes, it is an electronic transmitted system. It is called MSIX.

The CHAIRMAN. What is the system called?

Ms. MEDINA. MSIX. M-S-I-X.

The CHAIRMAN. Hmm, MSIX. I will have to take a look at that. Is it widely used?

Ms. MEDINA. It is right now. Thirty of the States are using it, and like I said—

The CHAIRMAN. Who pays for this?

Ms. MEDINA. It is through funds, through the Office of Migrant Education.

The CHAIRMAN. Do we need to get more States to use it.

Ms. MEDINA. Yes.

The CHAIRMAN. We need to fund it better.

Ms. MEDINA. Also, every State because they have their own local offices—

The CHAIRMAN. Yes.

Ms. MEDINA [continuing]. As soon as the family notifies that the family is moving to another State, they notify that State office of the family coming.

The CHAIRMAN. Got it.

Thank you all very much.

Is there any last thing that you wanted to impart to put on the record at all before we finish?

Ms. Ross.

Ms. ROSS. Actually, Chairman Harkin, I do. I wanted to share, while Senator Franken was here, it is unfortunate what happened with Kayla. One thing that I did recommend in my reauthorization is increased funding because, as I said, only 9 percent of the jurisdictions across the country are receiving McKinney-Vento funding.

That is unfortunate because maybe her particular jurisdiction did not have the funding, and therefore, there was not even an awareness of what the rights were there. There obviously was no professional development going on in the school. There were no postings in schools or libraries, and so people weren't aware of what her rights were.

One thing I want to encourage is increased funding so more jurisdictions do have the money to support and provide foster children as well as homeless children with school stability.

The other thing was Senator Bennet had asked a question, and I didn't know protocol so I didn't want to interrupt. He asked about flexibility of funding. As I have shared, transportation is an astronomical cost for school systems in providing transportation to the school of origin.

We do have something called title I part A setasides, which are funds reserved to assist with homeless education. Currently, those funds do not allow for transportation to the school of origin, and I am going to recommend that there be some flexibility in that title I part A setaside of how it can be used and maybe do a needs assessment in the process of that.

Thank you.

The CHAIRMAN. Thank you very much. I understand and my staff says they understand that. They got it, OK?

[Laughter.]

Thank you all very much. Very, very, very great panel. I thank you.

We will leave the record open for 10 days. There may be some written questions that people want to submit to you.

Sort of following on what Senator Bennet said, and I have said this to other panels who have come before the committee. I hope

that we can continue to keep in touch with you from our end, but I hope you also feel free to keep in touch with us. As this bill starts to move forward and you see it developing, if you think we are going in the right path, fine. If you think we are doing something that needs to be changed, we would like to know that, too.

I have a very distinct e-mail address just for this purpose. It is [Eseacommentshelp@help.senate.gov](mailto:Eseacommentshelp@help.senate.gov). It is just a dedicated e-mail address just for comments on ESEA, and we welcome your comments as we proceed ahead with reauthorization.

Thank you all very much. As I said, we will leave the record open for 10 days until May 13th.

Thank you all very much. The committee will stand adjourned.

[Whereupon, at 11:45 a.m., the hearing was adjourned.]

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