

Federal school rules are likely to bend a bit (The News Journal Opinion Column)

The No Child Left Behind law is hung up in the seemingly permanent gridlock in Congress, in a stalemate over how to adjust the elements public schools complain about while still serving to improve learning for every sort of student.

The original law that passed in 2002 has been waiting for reauthorization for the past year, and it isn't close to done.

So U.S. Education Secretary Margaret Spellings is picking up the slack to fix provisions that states' experiences show are counterproductive.

That's been noticeable as federal rulings have bent in favor of flexibility.

No Child Left Behind needs a "more nuanced approach," she said Wednesday, and she is doing what she can administratively to get there.

The politics go beyond redeeming President Bush's signature domestic program in the face of governors' insistence on states' prerogatives in education and teachers union laments.

Spellings said wryly she doesn't think the next president is going to pick up No Child Left Behind first after inauguration either. Congress is unlikely to act before the November election, yet "we're still going to be having school in the fall."

Delaware Congressman Michael Castle isn't optimistic about a revision timeline either, though he believes the law has worked to raise test scores and dent the achievement gap among children.

Castle is the ranking Republican on the House committee on preschool through

secondary education, and a key participant himself. He speaks well of Rep. George Miller of California and Sen. Edward Kennedy, the Democrats who are the lead negotiators on education. Meanwhile, he is scoping out "simpler" legislation in areas of potential agreement regarding high school graduation rates, measuring individual students' gains rather than groups, and realistic expectations for students in special education or with limited English language.

Castle

had arranged for Spellings to talk with educators here by telephone. Delaware superintendents zeroed in on the many federal categories and deadlines looming over them, amid orders to reduce government spending.

Spellings

acknowledged that the bulk of responsibility and resources for schools come from the states. The federal government has historically focused on equity for poor children. And it only provides about 8 percent of education money -- though No Child Left Behind has imposed an oversized influence.

Spellings

simply responded, "Resources and policy are on two separate tracks." While she's making accommodations as an executive, "it's not a substitute for reauthorization."

Delaware

schools have been ordered to yield \$30 million in budget cuts -- and Spellings advised against anticipating extra federal money or postponing remediation like reading in primary grades. The last federal budget also slashed education.

To

the good, she proposes to extend the so-called growth model of measuring individual children's gains from year to year to schools everywhere -- if they meet criteria she's about to set forth. That's a step forward from the original subgroups of children that all had to progress to avoid school penalties. Delaware was among a few states that got early approval in 2007 to try out a growth model this school year, as a trial.

Spellings

is also working on rules for multiple measures of student learning over time -- rather than one round of exams like the Delaware Student Testing Program. Her concern is that these all be "valid, reliable and comparable measures" even if states test kids differently. A uniform state-by-state calculation of high school dropouts is also proposed.

These new rules will be up for public comments starting Wednesday in Boston, Thursday in Georgia, May 19 in Kansas City, Mo., and May 22 in New York City. Those who'd like to go and speak should register at Special.Events@ed.gov.