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October 6, 2010

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The Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Duncan,

As we prepare for the next reauthorization of the Elementary and Secondary Education Act (ESEA), I wanted to share with you some of the concerns that have been brought to my attention by leaders in the North Dakota education community.

The overarching theme of the concerns I hear from North Dakota educators is that many of the Administration's proposals, while they may be appropriate for urban areas, do not fit the realities of small, rural school districts. North Dakota, as demonstrated by student achievement, has an extremely strong educational system. Nevertheless, we recognize that there is always room for improvement, and our educational leaders have made clear that they are ready to adopt changes to improve student outcomes. At the same time, however, I share their concern that many of the Administration's education proposals stem from experiences with urban school districts, and simply won't work for frontier and rural areas.

The Race to the Top program illustrates this concern. The criteria by which applications were judged were heavily weighted toward reforms that make sense for urban systems but that are difficult and impractical for rural and frontier areas. The bias in the program is reflected in the states that won funding, none of which is predominantly rural or frontier. In fact, the urban-centric criteria were so pronounced that my home state of North Dakota chose not to even apply.

Of particular concern, Race to the Top placed an emphasis on charter schools. Under the right conditions, charter schools can play a role in school reform in some parts of the country, such as larger, urban districts. But charter schools make little sense in rural states and towns that have difficulties supporting one school in many communities, let alone two. In Crosby, North Dakota, for example, there is only one K-12 school serving 288 students. The next closest school is 35 miles away.

I am pleased you have recognized the unique nature of rural and frontier schools by including the Rural Education Achievement Program (REAP) in your reauthorization proposal. However, I am greatly concerned that some of the other proposed reforms may actually hinder the quality of education in my state. As the ESEA debate moves forward, it is critical that a one-size-fits-all approach not be applied to the broader range of federal education programs. Instead, we need to

make sure that the ESEA reauthorization appropriately recognizes the unique circumstances of rural states and school districts.

In addition to this overarching concern, I would like to bring to your attention several specific concerns that I hear repeatedly from North Dakota educators.

Many of the Administration's competitive proposals would have an overly burdensome effect on education delivery in rural areas. Representatives of small, rural schools continue to be concerned that the emphasis on competition throughout the "Blueprint" would prevent them from accessing funding for education. Many of these smaller schools simply do not have the resources to draft an application for a competitive grant, let alone fulfill the other criteria that often accompany competitive programs, like matching funds and data collection requirements. An over-reliance on competitive grants, as they are traditionally structured, would prevent schools in my state from accessing certain funding streams and would ultimately hinder education delivery. Furthermore, Congress recognized and has taken steps to overcome these capacity constraints with authorization of REAP. Any distribution of REAP funds on a competitive basis defeats the intent of the program, and I would oppose it.

The proposed turnaround models are urban-focused and impractical for North Dakota. Requiring low performing schools to overhaul their staff may be an appropriate and effective remedy in urban areas with large pools of potential teachers and administrators. But it is not a practical response in rural and frontier schools. These isolated districts already have difficulty recruiting and retaining staff; the proposed intervention models would only create additional challenges. If turnaround models are to be included in a reauthorization of ESEA, there must be relevant alternatives for rural schools.

Federal testing requirements miss the mark and are overly punitive in nature. Education professionals in my State have raised concerns that the "status" model used under NCLB does not fully capture students' achievements. To fully measure student progress, assessments should gauge a student's level of learning, while recognizing a student's growth. This is particularly important in smaller, more rural districts where a handful of students with disabilities or limited English proficiency students can greatly skew the results from year to year. These students should be tested consistently with the services they are receiving to ensure fair and accurate assessments. More generally, student assessment policies should be more student-focused and emphasize outcomes over procedures, rather than measure one class of students against another.

Furthermore, teachers, administrators, and parents from my state have voiced their displeasure with the punitive nature of NCLB where a school is labeled and put in program improvement. They believe it stigmatizes the school and, in the case of rural schools, brings shame to the entire community. The Department is to be commended for its efforts to reward successful innovations in education. However, it is important that schools in the middle are not overlooked. Rather, reforms should ensure that all well-performing schools be recognized for their successes and contributions to their communities.

Changes to the definition of "highly qualified" for teachers and leaders should not be overly prescriptive. In drafting teacher and leader effectiveness criteria, it is critical that any

changes to the definition of highly qualified teacher support quality education professionals in our nation's schools, while avoiding unintended consequences. Unfortunately, following passage of NCLB, the previous Administration ruled that 3,800 North Dakota elementary school teachers were not considered "highly qualified" under the law. The ruling defied common sense and would have disqualified many great teachers, causing huge upheaval in our schools.

No school can be successful without parental involvement. Time and again, North Dakotans have shared with me their belief that parents are often the difference between students that succeed and those that perform poorly. While the President has been very vocal about the importance of parents in their children's education, the Administration has proposed eliminating parental engagement initiatives in its budget request to Congress. Because of the critical role parents play in a student's life, it is important that parental engagement strategies not be overlooked as we debate ESEA reauthorization.

Your attention and willingness to address these issues will be important as we look to support high quality education in North Dakota and other rural areas of the country. I look forward to working with you in our mutual pursuit of education excellence.

Sincerely,



KENT CONRAD
United States Senate

Cc: President Barack Obama
Senator Tom Harkin, Chairman Senate Health Education Labor and Pensions Committee