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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 90

January 11, 2007

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The bill was read for the first time and referred to the Committee on E-12 Education

1.1 A resolution

1.2 memorializing the Congress of the United States not to reauthorize the No Child Left
1.3 Behind Act in its current form.

1.4 WHEREAS, in 2002 the No Child Left Behind (NCLB) Act was enacted on a bipartisan
1.5 basis, which has as its purpose bringing academic achievement in language arts, mathematics, and
1.6 science to students who are not presently achieving at acceptable levels; and

1.7 WHEREAS, NCLB is scheduled to be reauthorized in 2007; and

1.8 WHEREAS, NCLB sets expectations for all students to be 100 percent proficient by
1.9 2013-2014, the expectations are unreasonable for students with limited English proficiency and
1.10 students with disabilities, making it impossible for Minnesota schools to comply with the law; and

1.11 WHEREAS, states should be allowed to use a value-added or student-growth approach in
1.12 their state accountability plan; and

1.13 WHEREAS, states should have the flexibility to allow a district not making adequate yearly
1.14 progress to offer supplemental education services as an option before offering school choice; and

1.15 WHEREAS, states should have the flexibility to allow a district not making adequate yearly
1.16 progress to also be the supplemental educational services provider; and

1.17 WHEREAS, states should be allowed to use subgroup sizes of 40 for the purposes of
1.18 calculating adequate yearly progress for subgroups of students with limited English proficiency
1.19 and for subgroups of students with disabilities; and

2.1 WHEREAS, NCLB provides for highly qualified teachers in core academic areas, this
2.2 requirement is in conflict with the process for certifying special education teachers and that
2.3 special education teachers often teach several subjects; and

2.4 WHEREAS, NCLB coerces participation by placing punitive financial consequences on
2.5 states refusing to participate; and

2.6 WHEREAS, NCLB is an unfunded mandate causing states and school districts to spend
2.7 more money to implement NCLB than what Congress appropriates; NOW, THEREFORE,

2.8 BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the Congress
2.9 of the United States to repeal the No Child Left Behind Act.

2.10 BE IT FURTHER RESOLVED by the Legislature of the State of Minnesota that it urges the
2.11 Congress of the United States, if it reauthorizes the No Child Left Behind Act, to amend it from
2.12 its current form so that states such as Minnesota be allowed to continue to work toward the goal
2.13 of closing the achievement gap without the coercion of losing federal funds.

2.14 BE IT FURTHER RESOLVED by the Legislature of the State of Minnesota that it urges the
2.15 Congress of the United States to recognize the Individuals with Disabilities Education Act and its
2.16 amendments as the prevailing federal law with respect to students with disabilities.

2.17 BE IT FURTHER RESOLVED by the Legislature of the State of Minnesota that it urges the
2.18 Congress of the United States to reconsider its expectations placed on states to reach 100 percent
2.19 proficiency as measured by Adequate Yearly Progress.

2.20 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is
2.21 directed to prepare copies of this memorial and transmit them to the President and the Secretary of
2.22 the United States Senate, the Speaker and the Clerk of the United States House of Representatives,
2.23 and Minnesota's Senators and Representatives in Congress so that they may be apprised of the
2.24 sense of the Minnesota Legislature in this matter.