

This Document can be made available  
in alternative formats upon request

State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-SIXTH  
SESSION**

**HOUSE FILE No. 508**

February 5, 2009

Authored by Bly, Ward, Doty, Laine, Tillberry and others

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

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, the current reauthorization process for NCLB is an opportunity to reform the

1.8 act to ensure that no child is left behind in this federal, state, and school partnership; and

1.9 WHEREAS, Congress has not met its promises for funding levels to allow schools to

1.10 correct identified inadequacies and, in turn, NCLB imposes significant financial costs on states,

1.11 school districts, teachers, and paraprofessionals for staff development, certification upgrades,

1.12 coursework, school improvement strategies, choice-related transportation, and private tutoring,

1.13 as well as the unavoidable costs and dislocation that would arise in the event of mandatory

1.14 school restructuring and staff dismissals; and

1.15 WHEREAS, the entire sanctions concept must be revised. The first response to schools not

1.16 meeting NCLB-established standards must be to target additional resources to correct recognized

1.17 deficiencies; and

1.18 WHEREAS, NCLB must be amended to ensure that the act's assumptions and standards are

1.19 based on sound research in student achievement and effective teaching; and

1.20 WHEREAS, NCLB mandates that every public school make adequate yearly progress

1.21 toward the goal of 100 percent student proficiency on tests in mathematics, reading and language

1.22 arts, and science by the end of the 2013-2014 school year; and

2.1 WHEREAS, NCLB significantly increases the federal government's role in elementary and  
2.2 secondary education; and

2.3 WHEREAS, NCLB has resulted in overreliance on standardized testing to the exclusion of  
2.4 other recognized indicators of student achievement; and

2.5 WHEREAS, the reauthorization of the No Child Left Behind Act is an opportunity to  
2.6 refine the admirable goals of the act based on five years of experience in implementing the  
2.7 2002 initiative; and

2.8 WHEREAS, NCLB sets expectations for all students to be 100 percent proficient by  
2.9 2013-2014, and the expectations are unreasonable for students with disabilities, making it  
2.10 impossible for Minnesota schools to comply with the law; and

2.11 WHEREAS, NCLB only assumes accountability for schools receiving Title I funds; and

2.12 WHEREAS, schools need flexibility in a whole range of areas. Special education  
2.13 implementation, teacher subject area competency, school benchmarks, and student cohort  
2.14 definitions must not be imposed from Washington, D.C. Local educators and state legislatures  
2.15 must be allowed to refine these aspects of NCLB to reflect local conditions and needs. Flexibility  
2.16 and more sophisticated measurements will keep the focus on educating children and not meeting  
2.17 unrealistic and rigid standards; NOW, THEREFORE,

2.18 BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the Congress  
2.19 of the United States to repeal the No Child Left Behind Act if the aforementioned concerns  
2.20 go unaddressed.

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

2.25 BE IT FURTHER RESOLVED by the Legislature of the State of Minnesota that it urges  
2.26 the Congress of the United States, if it reauthorizes the No Child Left Behind Act, to do so in  
2.27 a timely fashion so that the State of Minnesota can proceed with the noble goal of closing the  
2.28 achievement gap as it best sees fit for the students of the state.

2.29 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is  
2.30 directed to prepare copies of this memorial and transmit them to the President and the Secretary of  
2.31 the United States Senate, the Speaker and the Clerk of the United States House of Representatives,

- 3.1 and Minnesota's Senators and Representatives in Congress so that they may be apprised of the
- 3.2 sense of the Minnesota Legislature in this matter.