

PROGRAM

Mr. DASCHLE. Madam President, with this request having now been agreed to, the Senate will not be in session on Friday, as I have announced. On Monday, the Senate will convene at 1 p.m. with a period for morning business. There will be no rollcall votes on Monday. Rollcall votes will occur on Tuesday afternoon and throughout the remainder of the week as the Senate begins consideration of the Patients' Bill of Rights.

ORDER FOR ADJOURNMENT

Mr. DASCHLE. Madam President, I now ask unanimous consent that following the remarks of Senators BYRD, AKAKA, and WELLSTONE, the Senate stand in adjournment as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

THE ELEMENTARY AND
SECONDARY EDUCATION ACT

Mr. WELLSTONE. Madam President, reauthorization of the Elementary and Secondary Education Act may be the most important step we will take during this Congress to affect what is surely one of the most crucial interests of the country—children's education. I have tried to devote appropriate attention and effort toward improving this bill. That is because I have believed since Committee consideration that it contains significant flaws. At the same time, we have improved the bill in important ways, and we have added substantial new commitments of federal funds for education. In my view, these improvements, plus the prospects for further improvement in Conference, outweigh my remaining serious reservations about policy contained in the bill at the present time. Therefore, while I pledge to continue in Conference to try to improve the policy and to assure funding, I have voted in favor of the bill today.

A number of weeks ago, I opposed bringing this bill to the floor in the absence of some assurance that sufficient resources would be provided to federal education programs. That issue remains among my deepest concerns and considerations. Along with other improvements we have made since that time, we have very substantially bolstered needed funding for federal education—especially by including mandatory, full funding for the Individuals with Disabilities Education Act, IDEA. This provision alone will mean over \$3 billion for my state of Minnesota in IDEA funds during the coming 10 years. It will mean \$153 million in IDEA funds for Minnesota in fiscal year 2001.

The improvements must be balanced against policy deficiencies—primarily in the area of mandated tests and the bill's so-called "straight-A's," or "per-

formance agreement," provisions. My view is that if we at the federal level are going to insist on "accountability" from states, districts, schools and students, then we must be accountable to the principle that every student should have an equal opportunity to succeed. That means we must sufficiently fund the federal programs, such as Title I, IDEA and others, that attempt to give all students an equal chance. We all know that not every student arrives to school equally ready to learn. That is why it really is impossible to separate our presumption of holding schools and students accountable on one hand, from our own accountability to an obligation to sufficiently fund housing, nutrition and Head Start efforts on the other hand. We have not held ourselves accountable on that measure. We have avoided even debating this bill in that context. But if we will not meet that measure, and we have not, then we must at minimum ensure that federal education programs provide schools and students an equal chance at succeeding before we impose accountability and tests whose stakes can be very high.

My colleagues and anyone who has listened to much of the debate on this bill know that I have grave reservations about its annual testing provisions. Indeed, I oppose those provisions. I offered one amendment to remove the mandate for the tests if full Title I funding is not provided. I then cosponsored an amendment to allow states not to implement the tests so that they could utilize those funds instead for other means of boosting student achievement in the lowest performing schools.

I continue to believe that federally mandated annual testing of every student is a mistake. If it is implemented, I believe we will regret it. I say "if" because I hope the Senate will realize its mistake before the year 2005, which is when the first of these new tests would be required. I still intend to attempt at least to allow states to utilize the newly mandated tests for "diagnostic" purposes, rather than for the purpose of meeting adequate yearly progress targets. I hope that change can be made in Conference. If I do not succeed at that, I believe that we in Congress, the states and the public may very well reject these tests before they occur. I think they are unneeded, unwanted and most likely detrimental. The debate on what is becoming a mania for testing is just beginning.

We are making a significant mistake in mandating these new tests on every child, in every school, in every district and in every state. In the current context, it makes little sense. We have not even begun fully to implement the assessments we approved in 1994 with the last ESEA reauthorization. Yet we are moving to double those requirements and to expand their scope to cover every child in the country. We have not had a chance to look at the effect of those 1994 changes. Only 11 states have

brought themselves into full compliance with that law. From what we have been able to look at, the evidence seems to indicate we should be very concerned about how these tests are being implemented and what their effect is on student learning.

I would like to cite a few reports that should send us a clear warning about what we are about to do. The Independent Review Panel on Title I which was mandated in the 1994 Reauthorization issued its report "Improving the Odds" this January. The report concluded that "Many States use assessment results from a single test—often traditional multiple choice tests. Although these tests may have an important place in state assessment systems, they rarely capture the depth and breadth of knowledge reflected in state content standards." The Panel went on to make a strong recommendation. It said, "Better Assessments for instructional and accountability purposes are urgently needed."

I would also like to quote from the National Research Council, as cited in the Report "Measuring What Matters." This report was developed by the strongly pro-testing Committee for Economic Development. The report says: "policy and public expectations of testing generally exceed the technical capacity of the tests themselves."

Everybody wants to find a way to address the critical challenge of closing the achievement gap. In people's genuine desire to do something about our schools, I believe they have created expectations from these tests, that far exceed what the tests can ever do. In fact, Robert Schwartz, the President of Achieve, Inc., the nonprofit arm of the standards-based reform movement recently said: "Tests have taken on too prominent a role in these reforms and that's in part because of people rushing to attach consequences to them before, in a lot of places, we have really gotten the tests right."

In this rush for answers, the tests have ceased their useful function of measuring the reform and have become synonymous with it. That is exactly where this bill goes wrong and I believe that the consequences will be destructive. I believe that in the not so distant future, we will regret ever having done this. In fact, I believe that by the time these new tests are to go into effect, many if not most of the Senators in this body will have changed their mind on this issue.

My concerns are many and I have been over them before, but in summary, I am extremely concerned about how too much testing can subvert real learning. A Stateline News article from last week reported that:

A yet to be released RAND study conducted in North Carolina found that between 50 and 80 percent of the improvements in student performance measured by tests are temporary and fail to predict any real gains in student learning.

RAND, which is one of the most respected research institutions in the