



**Written Testimony of the  
American Association of University Women**

before the

United States House Committee on Education and the Workforce

Hearing on

**“Education in the Nation: Examining the Challenges and Opportunities  
Facing America's Classrooms”**

February 10, 2011

Chairman Kline, Ranking Member Miller, and members of the Committee, thank you for the opportunity to submit testimony for the hearing “Education in the Nation: Examining the Challenges and Opportunities Facing America's Classrooms.”

Founded in 1881, the American Association of University Women has approximately 100,000 members, 1000 branches, and 500 college and university partners nationwide. AAUW has a proud 130-year history of breaking through barriers for women and girls, and has always been a strong supporter of public education. Today, AAUW continues its mission through education, research, and advocacy.

AAUW believes that quality public education is the foundation of a democratic society. In 2002, AAUW joined in the bipartisan enthusiasm when the No Child Left Behind (NCLB) law—which reauthorized the Elementary and Secondary Education Act of 1965—was first passed. Like many other advocates, AAUW hoped the law would provide a remedy for ailing schools and low student performance. There are some good ideas in NCLB, such as increased teacher and school accountability, higher standards of achievement for student progress, supplemental service funds for low-income students, and public school choice for students who attend underperforming schools. In addition, AAUW worked hard for the inclusion of programs to serve girls’ special needs, ensuring that NCLB included provisions to reauthorize the Women’s Educational Equity Act; strengthen dropout prevention measures; protect students from sexual harassment in schools; and increase girls’ access to and interest in technology.

It has become clear as NCLB was operationalized, however, that there is a large difference between the ideals espoused in the law and the implementation and realization of program goals. While NCLB set lofty aspirations for public education, its poorly targeted punitive measures and the law’s unfunded mandates have left many states and school districts in dire straits. In fact,

NCLB has been underfunded to the tune of over \$85 billion since its inception—a figure local school boards cannot possibly supplant even in good budget times.<sup>1</sup> AAUW believes it is possible—and necessary—to maintain a commitment to high standards and greater accountability in our nation’s public schools, but the federal government must develop measures that do not impose sanctions in a way that undermines success and effectively cripples the very schools that need improvement. As Congress works to reauthorize ESEA, AAUW offers the following recommendations for strengthening the law’s goals, improving its implementation, and making clear progress in closing the achievement gap:

**Strengthen STEM Education, Strengthen American Competitiveness:** AAUW supports promoting and strengthening science, technology, engineering, and mathematics (STEM) education, especially for girls and other underrepresented populations in the fields. AAUW’s 2010 report, *Why So Few? Women in Science, Technology, Engineering, and Mathematics*, found that environmental and social barriers—including stereotypes and gender bias—continue to block women’s full participation in STEM fields. In order to close this gender gap, AAUW supports efforts that train teachers to encourage girls and other underrepresented groups to pursue STEM careers, and recommends a grant program from which schools can cover a number of expenses including mentoring, after-school programs, summer programs and internships, field trips, etc. In addition, schools should be held accountable for students’ achievement in science. This will provide schools with necessary information on how well students are progressing and the improvements that still need to be made. By measuring student performance and disaggregating data by gender, race, and socioeconomic status, we can obtain valuable information about student aptitude in science and better identify opportunities to improve girls’ exposure to and achievement in science.

**Improve School Climate to Improve Student Outcomes:** The implementation of policies that improve school climate will increase student achievement. ESEA must recognize the connection between emotional and physical health and support whole child programs and policies that emphasize social and emotional learning and health. AAUW supports policies and programs that address relational aggression, bullying, and harassment to ensure their overall health, safety, and well-being. Simply put, students cannot learn if they don’t feel safe.

The inclusion of stronger policies to deter and address bullying and harassment will help to ensure a safe learning environment for all students. Almost a decade ago, AAUW’s own research revealed that 83 percent of girls and 79 percent of boys reported having experienced sexual harassment, and over one in four students stated that harassment happens “often.”<sup>2</sup> More recent research shows that bullying affects nearly one in three American school children in grades six through ten.<sup>3</sup> The Girl Scout Research Institute reports that girls, in particular, are most concerned about their emotional safety. One-third of girls surveyed consider speaking or participating in class as a threat to their emotional safety.<sup>4</sup> AAUW supports the Safe Schools Improvement Act (H.R. 2262 from 111th Congress) which would help deter and address bullying and harassment, includes the Department of Education’s Office for Civil Rights’ definition of harassment, and identifies the prohibited bases for such conduct—including actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, and religion. ESEA reauthorization should make clear that sexual harassment is included under the definition of harassment.

In addition to supporting provisions to prevent and address bullying and harassment, AAUW also supports the Student Non-discrimination Act (H.R. 4530 from 111th Congress) which would prohibit discrimination in public schools based on actual or perceived sexual orientation or gender identity. The legislation would also provide meaningful and effective remedies, such as loss of federal funding and legal remedies for victims.

AAUW also supports the Positive Behavior for Safe and Effective Schools Act (H.R. 2597 from 111th Congress), which would fund efforts that create positive learning environments to help keep children in school. Ineffective and harmful school discipline practices severely impact schools' ability to educate our children. Many girls, particularly girls of color, are affected by disproportionate punishments for minor infractions at school. The legislation would enable schools to use Title I funds to implement evidence-based approaches, such as Positive Behavior Supports, which have been proven to reduce school discipline referrals, support improved academic outcomes, and improve perceptions of school safety. The legislation will reduce unnecessary reliance upon suspensions, expulsions, and referrals to law enforcement by providing schools the support needed to improve school climate. Provisions from the above pieces of legislation could fit in the same section of ESEA reauthorization as the Successful, Safe, and Healthy Students, of which AAUW is supportive.

**Focus on the Students: Expand Training in Gender-Fair Methods of Teaching:** Professional development for teachers should cover topics such as how to eliminate gender and racial bias in the classroom, how to be sensitive to gender and racial differences, and how to engage students in the face of gender-based and racial peer pressure and parental expectations. AAUW recommends that ESEA reauthorization increase the number of teachers who are trained in gender-fair methods. Ideally this would be a mandatory part of teachers' professional development. In addition, teachers should be evaluated on how equitably they treat their students.

**Get the Whole Story: Disaggregate Data by Gender and Cross-Tabulate Data:** AAUW recommends that data be cross-tabulated. Under the current accountability system, schools do not have to report graduation rates by gender, schools are not held accountable for student performance by gender, and student performance and graduation rate data is not cross-tabulated (i.e., within each race, by sex) for either reporting or accountability purposes. While the dropout crisis is often portrayed almost exclusively as a problem for boys, the barriers faced by girls and the extraordinary dropout rates are alarming for both genders. In fact, one in four girls overall do not finish high school, and the numbers are even worse for girls of color: for Latina female students it is 41 percent; for African American female students it is 43 percent. Female dropouts are especially likely to suffer economic consequences that significantly affect not only individual students and their families, but also our national economy as a whole.<sup>5</sup>

To ensure meaningful accountability and school improvement going forward: (1) Gender must be added to the group of categories (race/ethnicity, economically disadvantaged status, disability status, and status as an English Language Learner) for which the disaggregation of graduation rate data is required; (2) Graduation rate and academic assessment data reported by districts should be broken down by gender within race/ethnicity (i.e., cross-tabulated); (3) improved accountability and school improvement systems must hold districts accountable for the

performance of all subgroups of students, broken down by gender within race/ethnicity (i.e., cross-tabulated). Having the most accessible, accurate and detailed information will encourage action specifically tailored to improve outcomes for those falling behind. School districts, educators, and policy makers cannot create the right solutions if they do not have the right data to truly know what segments of the population need attention and assistance.

**Get at the Heart of Student Achievement: Use Multiple Measures and Growth Models:** AAUW believes in holding schools accountable for demonstrating that they are meeting educational goals. However, it is both problematic and discriminatory to rely on tests as the sole indicator of student progress. AAUW is supportive of provisions encouraging the use of multiple measures of student achievement such as achievement and growth in English, math, and science, and if states chose, student achievement and growth in other subjects, such as history. At the high school level, schools should also be evaluated on graduation rates, college enrollment rates, and rates of college enrollment without remediation. All of these data should be disaggregated by race, gender, ethnicity, disability status, English Learner status, and family income. In addition, schools should be assessed on students' growth over time. If a student improves from being two years behind grade level in reading to being only one year behind, this should be considered a success, not a failure, with acknowledgement that there is more work yet to be done. While this type of measure will provide more flexibility and nuance, it also ensures that accountability is not lost in the process.

**Improve Schools Accountability Measures:** Schools should be held accountable for demonstrating that they are meeting educational goals, but only in such a way that it doesn't create a bigger problem than it seeks to solve. NCLB designates schools that fail to meet AYP as "low-performing" and provides sanctions against such schools. AAUW believes the federal government should offer incentives and assistance to struggling schools, rather than punishment, which only serves to further harm students and hamstring educators from making progress in the schools most in need of improvement.

**Strengthen the Workforce by Closing the Achievement Gap Once and for All:** The past fifty years have seen continued improvements in proficiency levels among both girls and boys across a wide range of subjects. However, the existence of an achievement gap continues to stand in the way of true educational progress for all. While AAUW's 2008 report, *Where the Girls Are*, showed girls' educational gains have not come at the expense of boys, the report also further illuminated large gaps in test scores among children of different races and ethnicities and among children from different family income levels. For instance, a majority of African-American and Hispanic 12th graders score below a basic level of proficiency in math, while a 23- and 24-point gap exists between students of lower-income and higher-income families in reading and math, respectively, at grades 4, 8, and 12.<sup>6</sup> AAUW believes that a quality education is a civil right. AAUW also strongly believes that closing this persistent and detrimental achievement gap isn't simply the right thing to do, but also the necessary action to improve the nation's economy and competitiveness in the 21st century global marketplace.

**Encourage Programs Proven to Improve Student Achievement: Promote Public School Choice, Not Vouchers for a Select Few:** AAUW believes it is in students' best interests to be offered public school choice and flexibility, and public schools should continue to encourage innovative programs and classroom techniques. Such flexibility and innovation, however, must be consistent with civil

rights laws, including Title IX, and public funds should only be used for public education—not private school vouchers that benefit only a few. We must not weaken public education by diverting public funds to private or religious elementary and secondary schools that are not accountable to the public or an elected school board.

While AAUW supports innovative techniques to improve America’s schools, we believe voucher proposals fly in the face of our nation’s commitment to public education. In many areas of the country the notion of “private school choice” is misleading because there are few, if any, private schools—because the only private schools are religiously affiliated and not the appropriate denomination for the family.

Private and religious schools are not required to observe federal nondiscrimination laws, such as Title IX. In fact, voucher proposals often contain language specifically intended to circumvent civil rights laws, and many proponents insist voucher funding does not flow to the school but instead to the parent or student precisely to avoid any civil rights obligations. This specificity in language allows private institutions to discriminate on the basis of religion, gender, disability and language proficiency. Further, private and religious schools can reject a student based on the school’s own admissions criteria and discriminate against a student in access to classes, guidance counseling, extracurricular activities, and other aspects of education. In addition, private and religious schools are not held to the same accountability and testing standards established in the No Child Left Behind Act (NCLB). Such schools do not have to hire “highly qualified” teachers, adhere to NCLB testing requirements and Adequate Yearly Progress, or disaggregate or publicly release student achievement results.

Also, private school vouchers do not raise student achievement. A study conducted by the National Center for Education Statistics of the U.S. Department of Education compared the effectiveness of public schools to that of private institutions. After controlling for critical demographic factors (parents’ income, education level, number of books in household), NCES found that public schools perform as well as, and even better in a few instances, than private schools.<sup>7</sup> A 2001 GAO study confirmed that the official evaluations of Cleveland’s and Milwaukee’s voucher programs found no differences in the achievement of voucher students compared to public school students, despite built-in applicant screening advantages for private schools.<sup>8</sup> In addition, the June 2010 Department of Education final report on the District of Columbia voucher program, found that there was “no conclusive evidence that the OSP [Opportunity Scholarship Program] affected student achievement overall, or for the high-priority group of students who applied from “schools in need of improvement.””<sup>9</sup> This report’s conclusions coincide with the Department’s previous studies of the DC voucher program.

**Encourage Programs Proven to Raise Student Achievement, Not Outdated Single-Sex Classrooms That Rely on Outdated Stereotypes:** AAUW does not oppose the idea of public single-sex education per se, so long as it is appropriate, necessary, and done in a manner consistent with constitutional requirements and existing antidiscrimination laws. Unfortunately, the current federal regulations governing single-sex education allow for such programs without oversight or accountability, or proof that such programs improve educational outcomes – something AAUW simply cannot support when precious tax dollars are at stake. The regulations were issued in 2006 and AAUW urges the Department of Education to rescind them. Prior to the 2006 regulations, single-sex

education options were available in a number of public school systems, highlighting that the prior regulations offered the flexibility for situations where single-sex offerings addressed student needs and were sufficiently accountable regarding student achievement.

The 2006 regulations pose no accountability or reporting requirements consistent with the No Child Left Behind Act. Although NCLB places a premium on implementing strategies that are based on sound science, the regulations break from this standard. Schools are not required to demonstrate that a significant education problem needed to be fixed, nor are they required to demonstrate that single-sex classes or schools will fix such a problem. Schools will have the authority to “tinker” with gender equity without having to prove that such actions are even necessary. Furthermore, while the regulations require schools to self-evaluate single-sex practices every two years, schools are not required to report these internal evaluations to the Office for Civil Rights at the Department of Education, and evaluations are not required to be scientifically valid or reliable. In addition, the research supporting the effect of single-sex education on improving educational outcomes is inconclusive at best, and some shows potentially harmful effects. In fact, in its most recent report, the U.S. Department of Education calls its own 2005 results on the benefit of single-sex education “equivocal.”<sup>10</sup> Because the current regulations governing single-sex education don’t have adequate safeguards in place, AAUW urges the committee to not expand single-sex education in ESEA.

**Responsibly Increase ESEA Funding to Authorized Levels:** Research by the Center on Education Policy found that approximately 80 percent of school districts said they have costs associated with the law not covered by federal funding.<sup>11</sup> AAUW applauds President Obama’s FY2011 budget which proposes the largest increase in funding for ESEA ever.

**Improve Teacher Training and Retention:** AAUW believes there should be a highly effective teacher in every classroom. ESEA reauthorization should include an expansion of programs that improve teacher training and retention.

**Expand Afterschool Programs through 21st Century Learning Centers:** After-school programs should be expanded to enrich the school experience and improve educational outcomes. One program vehicle might be the 21st Century Community Learning Centers; this could also be used to expand STEM programs—currently allowed as an option but given no real incentive.

**Increase Access to and Funding for Early Childhood Education:** Providing a foundation of strong early childhood education will help improve and sustain achievement in later years. AAUW supports funding increases for Head Start and Early Head Start to ensure all children are prepared for school, as well as access to high-quality and affordable child care to ease the burden on working families and expand educational opportunities.<sup>12</sup>

**Improve Children’s Health and Help High Schools Comply with Title IX:** AAUW supports including the High School Athletics Accountability Act (H.R.458) in ESEA reauthorization. This legislation would require that high schools publicly report basic data on the number of female and male students participating in their athletic programs and the expenditures made for their sports teams. It is important to note that schools already collect the data required under this legislation, and thus would not create any undue burden. This bill simply would make this baseline Title IX information

available and accountable to the community. Access to such data will enhance compliance with Title IX and aid in the continued expansion of athletic opportunities for girls at the high school level. This is important because while girls comprise 49 percent of the high school population, they receive only 41 percent of all athletic participation opportunities, amounting to 1.3 million fewer participation opportunities than male high school athletes.<sup>13</sup> Statistics have shown that girls thrive when they participate in sports: they are less likely to get pregnant, drop out of school, do drugs, smoke, or develop mental illness.<sup>14</sup>

In addition, increasing children's physical activity can help combat childhood obesity, which is at an all-time high. Over the past three decades, childhood obesity rates in the U.S. have tripled, and today, one in three American children are overweight or obese.<sup>15</sup> Health costs for these children today – and down the road if they remain overweight – is driving up costs and putting considerable stress on our health care system. The issue is receiving even more attention after the recent creation of the Presidential Task Force on Childhood Obesity and Let's Move program. The High School Athletics Accountability Act could aid in decreasing childhood obesity by helping to ensure that schools are providing all their students with equal opportunities to benefit from school sports programs.

In addition to including H.R. 458, ESEA reauthorization should ensure adequate physical education classes and equity in facilities and equipment access. The *New York Times* recently highlighted research that found that the "increase in girls' athletic participation caused by Title IX was associated with a 7 percent lower risk of obesity 20 to 25 years later, when women were in their late 30s and early 40s." The study notes that while a 7 percent decline in obesity is modest, "no other public health program can claim similar success."<sup>16</sup> Simply put, properly enforcing Title IX and increasing children's physical activity can lower obesity risks even into adulthood.

**Support What Works: Reauthorize and Strengthen the Women's Educational Equity Act:** This law was first enacted in 1974 to promote educational equity for women and girls, through the provision of funds to help education agencies and institutions meet the requirements of Title IX of the Education Amendments of 1972. AAUW strongly supports the principles of WEEA and full funding of this act, as well as the appropriate application of these funds to meet the goals of the program. In addition to reauthorizing WEEA, it is important that funding for it be modestly expanded to allow for some of the funding be set aside for technical assistance. In more recent years, almost all of WEEA's tiny budget of less than \$3 million annually has been allocated to local projects, and the work on identifying and disseminating replicable, effective gender equity model programs has been curtailed. Title IX remains a vital tool in providing equal educational opportunities and WEEA, when used properly, can provide critical technical assistance to schools as they work to comply with Title IX—not just in athletics but in all educational programs that receive federal funds.

For 130 years, AAUW has fought for educational equity and achievement in our nation's public schools. Reauthorization of ESEA represents a tremendous opportunity to make significant strides in this direction, and we are committed to putting our full resources behind this effort. AAUW looks forward to working with you on this significant legislation.

Thank you for the opportunity to submit testimony. We look forward to working with you on

this critical piece of legislation.

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<sup>1</sup> National Education Association. (February 4, 2008). *Funding Gap: No Child Left Behind*. Retrieved April 27, 2009, from <http://www.nea.org/assets/docs/fundinggap.pdf>.

<sup>2</sup> AAUW Educational Foundation. *Hostile Hallways: Bullying, Teasing, and Sexual Harassment in School*, p. 4 2001.

<sup>3</sup> Members of the National Safe Schools Partnership (June 2007). *Bridging the Gap in Federal Law: Promoting Safe School and Improved Student Achievement by Preventing Bullying and Harassment in our Schools*. Retrieved on April 7, 2009, from [http://www.glsen.org/binary-data/GLSEN\\_ATTACHMENTS/file/000/000/912-1.pdf](http://www.glsen.org/binary-data/GLSEN_ATTACHMENTS/file/000/000/912-1.pdf).

<sup>4</sup> Judy Schoenberg, Toija Riggins, and Kimberlee Salmond, *Feeling Safe: What Girls Say*, A Report from the Girl Scout Research Institute (New York, NY: Girl Scouts of the USA, 2003).

<sup>5</sup> National Women's Law Center. *When Girls Don't Graduate We All Fail; A Call to Improve High School Graduation Rates for Girls*, October 2007. Retrieved March 9, 2010, from, <http://www.nwlc.org/pdf/DropoutReport.pdf>.

<sup>6</sup> AAUW Educational Foundation. (May 2008). *Where the Girls Are: The Facts About Gender Equity in Education, 18-19*.

<sup>7</sup> National Center for Education Statistics. (July 2006). *Comparing Private Schools and Public Schools Using Hierarchical Linear Modeling* Retrieved December 4, 2007, from <http://nces.ed.gov/nationsreportcard/pdf/studies/2006461.pdf>.

<sup>8</sup> U.S. Government Accounting Office. (August 2001). *School Vouchers: Publicly Funded Programs in Cleveland and Milwaukee*. GAO-01-914 Retrieved December 5, 2007, from <http://www.gao.gov/new.items/d01914.pdf>.

<sup>9</sup> U.S. Department of Education, Institute of Education Sciences (June 2010). *Evaluation of the DC Opportunity Scholarship Program: Final Report*. Retrieved July 2, 2010, from <http://ies.ed.gov/ncee/pubs/20104018/pdf/20104018.pdf>.

<sup>10</sup> U.S. Department of Education. (2005). *Single-Sex versus Coeducational Scheduling: A Systematic Review*. Retrieved January 14, 2009, from <http://www.ed.gov/rschstat/eval/other/single-sex/index.html>.

<sup>11</sup> Center on Education Policy. (2006). *From the Capital to the Classroom: Year 4 of the No Child Left Behind Act*, 4. Retrieved December 30, 2008, from <http://www.cep-dc.org/data/global/nidocs/CEP-NCLB-Report-4.pdf>.

<sup>12</sup> The Office of the President-Elect (2008). *Education: The Obama-Biden Plan*. Retrieved December 23, 2008, from [http://change.gov/agenda/education\\_agenda/](http://change.gov/agenda/education_agenda/).

<sup>13</sup> National Federation of State High School Associations. (2009). 2008-2009 High School Athletics Participation Survey. Retrieved March 9, 2010, from <http://www.nfhs.org/content.aspx?id=3282&linkidentifier=id&itemid=3282> and National Center for Educational Statistics. 2006-2007. Retrieved March 9, 2010 from <http://nces.ed.gov/>.

<sup>14</sup> Women's Sports Foundation. (December 12, 2007). *Women's Sports & Physical Activity Facts & Statistics*. Retrieved January 16, 2008, from [http://www.womenssportsfoundation.org/binary-data/WSF\\_ARTICLE/pdf\\_file/191.pdf](http://www.womenssportsfoundation.org/binary-data/WSF_ARTICLE/pdf_file/191.pdf).

<sup>15</sup> The New York Times (February 16, 2010). *As Girls Become Women, Sports Pay Dividends*. Retrieved March 1, 2010, from <http://www.nytimes.com/2010/02/16/health/16well.html>.

<sup>16</sup> Ibid.