

CENTER FOR LAW AND EDUCATION

General Description of Capacity

1. *Forms of assistance.* The Center for Law and Education (CLE) possesses the capacity to help a wide range of people – educators, policy makers, program administrators, parents, students, and advocates – with very high-quality work (drawing on both our educational and our legal expertise) of a variety of kinds:
 - Writing in varied genres
 - Policy and program analysis
 - Program design
 - Both short-term and ongoing technical assistance and consulting, on program implementation and resolving problems
 - Training
 - Speaking
 - Advocating

2. *Substantive areas of expertise.* CLE has used the above-referenced forms of assistance, at local, state, and national levels, in pursuit of high-quality education for all children across a range of topics where we have substantial knowledge and experience, including for example:
 - Standards-based reform
 - School accountability
 - High-quality programming for students with disabilities
 - Title I
 - High school restructuring
 - Career and technical education
 - Student assessment
 - Parent involvement
 - Civil rights implementation

Some Specifics (described on pages that follow)

- A. Federal policy leadership
- B. Detailed policy analysis and interpretation
- C. Tools for implementing reform
- D. Parent/community involvement
- E. Richer accountability
- F. Authentic teaching, learning, and assessment
- G. Assessment reform
- H. College access
- I. School networks

A. CLE has, for almost thirty years, taken early leads in envisioning ways to reshape major federal education programs to advance quality, equity, and democratic participation, and then following through with both the detailed policy positions and the persistence to pursue them through successful advocacy. CLE has done this:

1. With Title I – seeking from the mid 1980s onward to organize the program around ensuring that its students got help to master the same higher order skills and knowledge expected for all, instead of watered-down remediation with fragmented skill development; and seeking school-level provisions to deal with participation and program design, rather than assuming that accountability for student outcome measures can alone transform schools.
2. With Perkins (and later, School-to-Work) – seeking from the early 1980s to use vocational education reform as a way to detrack high schools (through academic-vocational integration at a high level, fully qualifying students for the full range of post-secondary education options; and through actively learning all aspects of an industry, not just narrowly defined occupational skills, in order both to create the broader activity base needed for integrating high-level academics and to help eliminate high schools' role in occupational stratification).
3. With IDEA – seeking to ensure that the learning goals, programs, and assessments of students with disabilities are all focused on ensuring successful access to, and help with, the same knowledge and skills that should be expected for other students – rather than assuming that physical mainstreaming is enough; or assuming that there is a dichotomy between the individual attention of an IEP process and ensuring real access to the same kind of knowledge; or assuming that when certain students need different ways of assessing their skills and knowledge it always means assessing different skills and knowledge; or assuming that while other students need a range of choices (for example in supplemental services or in public school choice under NCLB) to meet a variety of interests, learning styles, values, etc., for these students their disability basically defines their uniqueness.

(To see CLE's impact in these areas, one can trace back the threads of current policy consensus, starting with proposals many years ago on which CLE was initially the sole lead voice, to partial legislative enactment, to full enactment, to broader common acceptance.)

- B. CLE's staff has unsurpassed ability to analyze, translate, comment on, and explain to others the details of complex regulations and other policy documents that have the potential to advance or undermine reforms intended by underlying legislation. (For example, in the largest set of regulations issued for No Child Left Behind, on accountability and other topics such as schoolwide programs and teacher quality, large numbers of substantive changes were made that can be traced entirely to our very extensive comments.) We apply this ability in policy interpretation and analysis not only to national level work but to helping those at state and local level deal with implementation.
- C. CLE's policy-related tools for implementing reform have long been recognized for their quality and utility. Having had major impact on the shaping of Title I, the Perkins and School-to-Work Opportunities Acts, and portions of IDEA, we have typically produced implementation materials on

how to use the laws to advance reform, the quality and utility of which has been widely appreciated. In the high school arena, we have also produced a short parent guide to high-school career academies, a guide on how to approach scheduling issues in small learning communities, and a guide to using federal Title I resources for high-school reform. Other tools are in the works – for example: (1) additional high-school material aimed at students and parents; (2) a coordinated set of modules (both materials and training designs) seeking to take a broader approach to school accountability (see separate bullet on richer approaches to school accountability) by framing key components of schools and school reform (such as learning goals, curriculum, pedagogy and teacher quality, individual attention, school- and classroom-based assessment, etc.) around a set of key questions that a school community should be able to answer in its community (e.g., “What should all our students learn?” “Is that what our school is teaching to all?” “Are we teaching it well?” “So, are they learning it?” etc.); (3) a tool for assessing major areas of state-level education policy and practice (e.g., standard-setting, regulation, grant-making, technical assistance, monitoring, etc.) in terms of whether they are well designed to foster rather than frustrate a vision of high-quality schools and the implementation of key school-level elements of quality; and (4) (a little further down the road) an interactive web-based learning tree for expanding on the information and issues in the school accountability modules. And after the Perkins Act is reauthorized (or replaced) next year, we would like to be able to produce a reform-oriented guide to implementing the new law. All our work is aimed at using policy, research, and practice to advance every student’s rights to high-quality education, so our guides tend to be pretty distinct, for example, from other guides to federal programs.

- D. CLE has been a major vehicle for engaging parents and communities in school reform – having taken the lead on creating strong parent involvement provisions in Title I and other federal programs, including IDEA in collaboration with national parent organizations, trained thousands of parents from virtually every state on their rights and how to use them for school improvement, developed and disseminated a range of materials both to help parents take initiative and to help schools more effectively engage parents in school change; and supported state and local advocacy organizations across the country. (We have also worked, for example, in Arizona, with a network of “learning community schools,” each involving a team of administrators, teachers, and parents, on linking parent involvement with systemic school reform. In Boston, CLE is working at multiple school sites to ensure that the governance provisions of Title I/NCLB are implemented and that the voices of students and families are heard in the school improvement process.)
- E. Much of our work recently is focused on developing a richer system of school accountability – not only in terms of richer and more valid measures of student achievement (see separate bullet on assessment reform) but also in moving beyond defining accountability simply in terms of student outcomes for which schools will be rewarded or punished. Rather, we operate from the notion that schools must be accountable, particularly to the families they serve, for providing the elements of a high-quality education that will enable students to achieve, and states must be accountable for ensuring that schools both fulfill that responsibility and have the supports and resources to do so. (The school- and state-level materials described in C(1) and (2) above exemplify this approach.)
- F. CLE’s work combines an emphasis on policy reform (including policy mandates) with a recognition of the volitional nature of the core processes of teaching and learning, including a heavy emphasis on understanding the nature of rigorous authentic learning (based on the work of

Newmann and Wehlage and others) – in which students use disciplined inquiry to construct knowledge with real-world significance – in dealing with matters of standards, curriculum, instruction, and assessment. This permeates our work on the school accountability modules we are developing, for example. Similarly, we treat standards-based reform and serious accountability for student learning as compatible with this recognition of the volitional nature of teaching/learning and the importance of authentic achievement and authentic assessment.

- G. CLE uses policy-related strategies to press for student assessment reform. This work deals with use of assessments for school improvement and accountability, use of assessment for high-stakes decisions (graduation, promotion) about students, and use of classroom-based assessment as part of authentic instruction. In this, we make use of, and tie together, (1) civil rights laws (affecting race, limited English proficiency, and disability) – which, we argue are powerful allies of real education reform (not counterweights to it), because of their insistence that, before using tests to make high-stakes decisions about students, we must first have in place both an assessment system capable of accurately determining each student’s proficiency and an instructional system capable of enabling such proficiency; (2) under-used or misapplied assessment requirements in Title I – dealing with multiple measures of achievement, valid uses of assessment, assessment of students with disabilities, etc; and (3) the framework and provisions found within the joint professional standards for educational testing – requiring test users to identify the chain of inferences or assumptions that underlie their use of a test and then to amass and critically analyze the evidence for whether each of those inferences are actually true). Our work on assessment takes many forms – for example, building a heavy emphasis on authentic assessment into our school accountability modules, providing many rounds of detailed written and oral comment in helping to shape the Office for Civil Rights’s guide to high-stakes student testing, and working to reshape the Department of Education’s policies for assessment of students with disabilities under No Child Left Behind, and, where ultimately necessary, litigation (for example a challenge to the high-school exist exam in Massachusetts cases for failure to have an adequate assessment system for validly determining whether individual students have mastered the knowledge and skills and in state standards and an adequate instructional system for ensuring that systems are sufficiently taught that knowledge and skills).
- H. CLE has, from early on, sought policies to assure that all high school students emerge with the qualifications needed for access to the full range of post-secondary opportunities in their state. In addition to focusing on academic skills and standards for all students, and in particular those in vocational programs, we have also pushed for explicit language under Perkins and School-to-Work about qualifying for this full range of post-secondary opportunities. And under Title I, we have argued that if attaining the proficiencies in the state standards do not qualify a student for those opportunities, then something is wrong with either the standards or the admission criteria.
- I. CLE understands the process of creating and supporting networks of schools around a reform agenda – having created one early on (through the Voc Ed Project starting in the 1980s based on the principles now embodied in the Perkins Act), having participated as the primary subcontractor in another (the Department of Education’s New Urban High School initiative), and serving as lead consultant in a third (the Arizona Learning Communities initiative). In this and other work, we have further honed our skills in national and statewide project design, school program design and implementation, staff development, and other technical assistance.