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## SUPERINTENDENT OF PUBLIC INSTRUCTION

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### **Statement from Superintendent Terry Bergeson re: new Title I regulations issued by U.S. Department of Education**

**October 30, 2008**

OLYMPIA — Earlier this week, the U.S. Department of Education issued more than 440 pages of [new Title I regulations](#) that will make the federal “No Child Left Behind” law even more difficult to implement here in Washington and throughout the country.

I have been a strong, consistent supporter of school accountability. But as I have noted many times in the past, accountability must be informative, rational and fair. The flawed design and punitive implementation of No Child Left Behind by the federal government has long undermined the very goals it is intended to achieve. Now the law has become even more punitive, based on my preliminary review of these new regulations.

In May, the U.S. Department of Education requested feedback on these proposed rules, which increase even more the volume and complexity of existing accountability and reporting requirements, and further control the use of existing federal funds. As Washington’s state superintendent of schools, I was one of many who testified that these new rules were unnecessary, poorly timed, overly burdensome and too expensive, and would siphon federal funds away from the programs that best serve children and raise their achievement.

This nationwide feedback was completely ignored in creating the final regulations. The one sensible rule relates to accurately measuring and setting goals for improving graduation rates. Washington already leads the nation on this issue. The rest of the new regulations undermine and strip away what little flexibility the law previously allowed.

Instead of focusing on fixing the key flaws of No Child Left Behind – providing appropriate assessments for English language learners and students in special education programs, eliminating one-size-fits-all achievement targets, recognizing improvement and providing more resources to implement the law – the Administration in its waning days has chosen to bring down the federal hammer even harder on our public schools.

I echo the words of my colleague, California State Superintendent of Public Instruction Jack O’Connell, who, in a statement about these new regulations, declared:

“While educators in California will strive to implement the NCLB regulations released today, I will continue to advocate for additional flexibility and rational implementation of the No Child Left Behind Act. With the national election for President just one week away, I look forward to working with a new federal administration on ways to make the law more workable and reasonable so that we can hold schools accountable for improvement but do so in a way that make sense and actually leads to improved student achievement.”

Like Supt. O’Connell and my counterparts throughout the country, I am committed to continuing to support our schools and to creating a far more reasonable federal accountability system. That work can begin November 5.