Have you noticed public school districts near you laying off their staffs and forcing teachers and principals to reapply for their jobs? Are schools in a city near you closing high schools and co-locating several unconnected small schools within the walls of a closed school? Has your state legislature just voted to allow a significant increase in the number of charter schools? What about evaluation and remuneration of teachers? Has your legislature just concluded hot debate about changing collective bargaining laws for teachers or rewritten laws to require that teachers be evaluated and paid according to their students’ standardized test scores?

While such changes may seem to be happening in your community or in your state legislature, it is important to recognize that the same things are happening across many communities and many states. States have been jostling for billions of dollars that were part of the 2009 federal stimulus program because the U.S. Department of Education is dispensing billions of these dollars in competitive grants to states and school districts if they will revise laws and rules to comply with the education policy priorities of President Barack Obama and Secretary of Education Arne Duncan.

Part of the 2009 public education stimulus funding was straightforward: a massive infusion of funds—$100 billion to state governments through the Individuals for Disability Education Act and through the Title I formula to enable states to avoid mass layoffs. Distributing dollars through public schools was seen as an economically efficient way to save jobs overall to stimulate growth in the economy, because the distribution mechanism was in place through the network of our nation’s 15,000 school districts.

At the same time, however, the Administration introduced a new public education agenda through the back door by lodging several competitive grant programs for states and school districts within the 2009 federal stimulus. Secretary Duncan was given control of nearly $10 billion, which he divided into all these programs. To qualify for the money, states had to agree to the Administration’s priorities and in many cases change state laws.

States and school districts had to apply for the funds—the $3.5 billion Race to the Top Fund, the $3.5 billion Title I School Improvement Grants, and a $650 million Innovation Fund, all distributed competitively. States earned points if their legislatures rewrote laws to permit rapid growth in the number of charter schools. And states and school districts earned points by promising to “turn around” schools that have struggled to raise students’ test scores. States earned points if their legislatures rewrote laws to permit rapid growth in the number of charter schools. And states and school districts earned points by promising to “turn around” schools that have struggled to raise students’ test scores. States earned points if their legislatures rewrote laws to permit rapid growth in the number of charter schools. And states and school districts earned points by promising to “turn around” schools that have struggled to raise students’ test scores.

One thing is certain: federal policy in public education now affects every public school in this nation through the standardized testing policies and ensuing punishments of the No Child Left Behind Act (NCLB) and the Duncan Department of Education’s federal stimulus grant competitions. Additionally, in their Blueprint for the reauthorization of the Elementary and Secondary Education Act (ESEA), President Obama and Secretary of Education Duncan have proposed that the same four school turnaround plans that are part of Race to the Top and the School Improvement Grant competition be imposed as part of ESEA on the 5 percent of public schools across the United States that struggle hardest to raise standardized test scores. The discussion of these radical plans will further complicate what is already likely to be a very heated Congressional debate about the pending ESEA reauthorization.

**Justice in Public Education**

The Prophet Micah calls the faithful to “do justice.” (Micah 6:8)

- Doing justice challenges the strong on behalf of the weak. According to theologian Walter Brueggemann, justice is distributional: “Justice is to sort out what belongs to whom, and return it to them.”
- Although Brueggemann speaks specifically about economic justice in his exegesis of the book of Micah, the call to do justice is not merely economic. Institutional justice requires mechanisms for distributing opportunity, just economic justice tributes goods. The United Church of Christ’s General Synod 18 declared: “in the call to ‘do justice,’ Christians are required to transform the institutions of our society so that they provide what rightly belongs to all people and no longer deny access for some.”
- According to Philip Wogaman, retired pastor of Foundry United Methodist Church in Washington, DC, “it is just to structure institutions and laws in such a way that communal life is enhanced and individuals are provided full opportunity for participation.”

The UCC’s General Synod 25 affirmed that the church is committed to a just economy for the common good: “While our church has historically challenged injustice in America’s social institutions… we have never compromised our commitment to the public good and the role of government to protect it. Realizing our nation’s founding ideals will require ongoing attention to maintaining public institutions designed to make sure that all persons can thrive.”

Our nation’s 90,000 public schools are among the primary institutions in our society.

A good society creates educational opportunity for all children in their formative years; it does not distribute quality education to some children and deny it for others. Nor does a good society support a system that permits parents who know how to be good choices to privilege their own children while leaving masses of children behind. Rev. Dr. Martin Luther King admonishes: “there are millions of God’s children who will not and cannot get a good education…. You will never be what you ought to be until they are what they ought to be.”

Today the church is called to protest U.S. Department of Education policies that are more likely to serve particular children or groups of children without improving the system to protect the rights and address the needs of all children.

**Race to the Top, School Improvement Grants, and Blueprint Undermine Systemic Justice**

In many ways the changes brought through the Race to the Top and Title I School Improvement Grants, along with President Obama’s Blueprint proposals for the pending ESEA reauthorization, are likely to increase educational opportunity for some children while they introduce greater inequity into the system itself. These turnaround plans will paternalistically sanction the lowest scoring 5 percent of schools in the United States, fewer than five thousand Title I schools that are “in need of improvement,” the designation NCLB uses for schools that have been unable to raise test scores. Therefore, millions of experimental public school closure, principal and teacher firings and charter school expansion is likely to imperil the primary educational institutions available to many families in low income communities. At the same time, however, the Blueprint reduces scrutiny on the more than 90 percent of schools scoring higher by eliminating NCLB’s punishments for all but these bottom scoring schools.

The Race to the Top competition for states, Title I School Improvement Grants for school districts, and the Blueprint proposal for the reauthorization of ESEA all use tests that has been named by its proponent Paul Hill, at the University of Washington’s Center for Reinventing Public Education, a “portfolio model of school reform.” According to Kenneth Saltman of DePaul University in Chicago: “The portfolio district approach merges four strategies:...
The “portfolio model” in which schools are imagined as opening and closing in a continuous cycle, does not value the kind of systemic provision of education Americans have learned to count on: a system of school choice assumes a level of natural right to get whatever we can on our own, or to report how much public money resulted in profit for the owner. While the federal government is creating incentives for state legislatures to authorize the expansion of new charter schools, no expanded federal regulation has been proposed to protect the public interest.

Families in privately managed charter schools may not have the right to bring concerns directly to the school’s privately appointed board that lacks any real incentive to hear the concerns of a public, including parents. Today in New Orleans more than forty different boards, some public and others private, manage schools that receive public funding.1 For this reason parents in New Orleans have been able to take their charters to court and in 2010, for example, to protest the closing of 19 high schools and relocation of the students, but because a majority of board members are appointed by Mayor Michael Bloomfield who readily replaces any board members voting against School Chancellor Joel Klein’s priorities, the mayor’s appointees affirm the Klein plan for closing high schools. In New Orleans, in numbers of the community were forced in New York to turn to the courts to challenge the school closings because there is no longer a democratic process to ensure that local parents can appeal when they believe the public schools are not appropriately serving their children or their neighborhood.

At the same time these federal policies are driving the rapid expansion of charter schools, charter schools continue to be regulated solely in state law. Across the states regulation of both financial management and academic accountability has been extended to Ohio, for and for example, charter schools are required neither to observe sunshine laws nor to report on the disbursement of state funds. Life Skills Center in Toledo, a school administered by a for-profit, White Hat Management Company, allocated $4,821,765 to a category called “administrative expenditures” in 2005. This amount constituted the total budget spent by the school that year. The state did not require the school to break down expenditures into categories that could be compared to spending patterns in other schools—for teachers’ salaries, administrative salaries, textbooks, or maintenance—or to report how much public money resulted in profit for the owner. While the federal government is creating incentives for state legislatures to authorize the expansion of new charter schools, no expanded federal regulation has been proposed to protect the public interest.

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The “portfolio model” prescribes rapid expansion of charter schools. While in the past many state legislatures have imposed caps on the number of new charter schools to ensure careful and deliberate experimentation with schools that are public in the sense that they receive public funds and at the same time private in the sense that they are governed by private boards, the Duncan Department of Education has used Race to the Top to rapidly accelerate the rate of charterization. The UCC’s General Synod has never opposed charter schools, and it is true that many excellent charter schools serve their students well. A respected Stanford University study reports that 17 percent of charter schools serve the needs of high-poor students, while only 5 percent of traditional schools do.11 However, General Synod 25 “affirmed the role of public institutions… for ensuring essential services,” declared that “the sum total of individual decisions in any marketplace does not necessarily constitute the public good,” and confirmed that society must “provide opportunity not necessarily for the benefit of each and every child in well-funded, high quality public schools.” While private management may be excellent, serious concerns arise about the impact of rapid charterization on public school systems.

The Race to the Top grant competition has awarded millions of dollars to states whose legislatures remove such caps. The Race to the Top and Title I School Improvement Grant programs, along with the Blueprint proposal for the CEOE reauthorized the Elementary and Secondary Education Act (ESEA) as a response to economic austerity, lay out rules that, as one of four “turnaround plans,” the “Restart Model,” that “converts or closes and reopening the school under the management of an effective charter operator, charter management organization, or education management organization.”

One concern that is never addressed satisfactorily is the comparative disadvantage for families who move to a city after the choice process for that school year has been completed. While laws in many states require that parents have a selective admission through qualifying exams in charter schools and require lottery when charter schools are over-subscribed, such schools are rarely required to accept all who apply to the school reaches what it considers to be its optimal size. Families displaced after Hurricane Katrina and subsequently trickling back to New Orleans mid-school year, when a house could be rehabilitated or the family could secure enough funds for the move back home, found that charter schools were not obligated to create additional places for their children. School documents that in New Orleans, the Orleans Parish School Board, the Selection Pool for Elementary and Secondary Education Sector for Innovation, the New Orleans Parish School Board, and the BESE (Louisiana Board for Elementary and Secondary Education) sectors, while steering the majority of low-income students of color to high-poverty schools in the RSD sector… As a result of these public RSD traditional schools at a competitive disadvantage, schools in this sector are reduced to ‘schools of last resort.’ This sector continues to educate the lowest-to-educated students in the most underfunded, high-poverty schools.” A marketplace where 60 percent of children now attend charter schools has not found a way to provide quality services for a full range of students.

Another serious concern is that at any time during the school year, children may be “officially” pulled out of public schools, or may be expected to welcome all students, including students who leave charter schools because they have posed discipline problems at the local public school for registration as “over-the-counter students.”19 Even the researcher adopts the language of the marketplace by referring to children whose parents or students have not fulfilled the requirements of signed behavior and academic contracts required by charter schools. A recent critique of the educational system that high-poverty children in neighboring public schools do not have a higher dropout rate than the neighboring public schools, KIPP does not admit new students in the middle of the school year, and when they do drop out. In contrast, the neighboring public schools are required to serve the students who drop out of KIPP and other charter schools, along with other children who move in and out during the school year. KIPP has in this way been able to maintain the intensely disciplined academic culture for
which it is famous by working with a middle school population and then formed in its special culture since fifth grade.

Serious questions have also arisen whether school districts and the charter schools within their boundaries have the capacity to market to students effectively in all neighborhoods. In Chicago, charter operators have sometimes niche-marketed charter schools by locating them in neighborhoods where the operators imagine their special programs will be sought. According to Catalyst-Chicago, “Most charters have deep ties to particular communities: United Neighborhood Organization runs five charters in heavily Latino areas on the south side, and 14 charter schools in the northwest sides of town, and plans to open three more in Archer Heights next year. The tendency for charters to clump together, explains, in part, why some communities have yet to get Renaissance schools.”

In New York City, the New School report describes school choice in a city where Charter Schools of New York are moving quickly to eliminate traditional high schools with guaranteed attendance zones. “The system of school choice assumes each child has a parent or other adult who is willing and able to take time to tour schools and fill out applications. In fact many children have no such help.” Many middle-school guidance counselors, charged with helping students fill out their high school applications, are overwhelmed by huge case loads and the sheer complexity of giving what might be a helpful advice about 400 different high schools. Once placed, students are not permitted to transfer to another school if the fit is poor.

Charter school expansion will occur primarily in cities, because the choice model is less workable in smaller towns and rural areas. For all these reasons, the rapid expansion of charter school threatens primarily the future of America’s big city school districts, the districts serving America’s poorest and most invisible children. Education historian Diane Ravitch writes: “As more charter schools open, the dilemma of educating all students will grow sharper. The resolution of this dilemma will determine the fate of public education. The question for the future is whether the continued growth of charter schools in urban districts will leave behind the most difficult students with the most difficult students to educate, thus creating a two-tier system of widening inequality… As charter schools increase in number and able students enroll in them, the gap between the public schools in the rich suburbs will be locked into a downward trajectory. This would be an ominous development for public education and for our nation.”

The Portfolio Model and the Values of the Church

“Portfolio model” theory imagines public schools as an extension of the marketplace, not as an expression of community. The public, as responsible stewards of civic institutions, is not part of the idea. The civil right to education is understood as the right to school choice and the right to escape so-called “failing” schools. Parents are regarded as consumers not as citizens. The “turnaround” models in the Race to the Top, the No Child Left Behind Improvement Grants, and the President’s Blueprint for the ESEA reauthorization epitomize thinking that is mechanistic, with the buildings, the principals, the teachers, and the students as just moveable parts that can be switched around without attention to the value of human relationship. The “portfolio model” incorporates a range of strategies for neighborhood public schools, while public schools have traditionally been expected to serve basic needs of families and children as stable neighborhood anchors.

A 2010 pastoral letter adopted by the Governing Board of the Council of National Churches expresses opposition to such technocratic thinking: “Our biblical heritage and our theology teach us that we live in community, not solely in the marketplace. As we strive to move our imperfect world closer to the realm of God, we recognize that we are all responsible for making sure that public schools, as primary civic institutions, embody our love for one another. We are called to create institutions that serve families and with hospitality, we are called to work as citizens for resources that will support a climate of trust and community within each public school. We are also called to value those whose vocation is teaching.”

The United Church of Christ’s former General Minister and President, the Rev. John Thomas Rollins, reflects on another time, when public schools were understood as an expression of community: “When you travel across the country through numerous county seat towns and cities, it’s easy to see what was important to those who established those communities. They built—at great personal sacrifice—churches, schools, libraries, and court houses, public institutions, announcing to all that the spiritual, intellectual, and moral enrichment of the public was a central priority.”

The “Turnaround Model” that saves at least 50 percent of a school’s staff without individual evaluations or due process demonstrates that we need to think that human relationships do not matter. Strategies that fire entire staffs of teachers ensure that children will be taught by strangers, however well the replacements are chosen. A mass of educational research demonstrates that organizational trust, a key ingredient for school reform, can be nurtured only when staffs are stable from year to year. For education writer Mike Rose, the way we talk about teachers today reflects our diminished valuing of human connection in schools: “There is little talk of the power of teaching, of this remarkable kind of human relationship that is played out in all cultures. In our time, teaching is… often defined as a knowledge-delivery system. Yet teaching carries with it the obligation to understand the people in one’s charge, to teach subject matter and skills, but also to inquire, to nurture, to have a sense of who a student is.”

Rose calls society back to a more careful conversation about school reform, one that requires citizens to create new schools and to address their problems and injustices, but that also lifts up hope: “Citizens in a democracy must continually assess the performance of our public institutions. But the quality and language of that assessment matter… Neither the sweeping wave of educational reform that laid off at least 50 percent of a school’s staff without individual evaluations or due process demonstrates to others that human relationships do not matter. Strategies that fire entire staffs of teachers ensure that children will be taught by strangers, however well the replacements are chosen. A mass of educational research demonstrates that organizational trust, a key ingredient for school reform, can be nurtured only when staffs are stable from year to year. For education writer Mike Rose, the way we talk about teachers today reflects our diminished valuing of human connection in schools: “There is little talk of the power of teaching, of this remarkable kind of human relationship that is played out in all cultures. In our time, teaching is… often defined as a knowledge-delivery system. Yet teaching carries with it the obligation to understand the people in one’s charge, to teach subject matter and skills, but also to inquire, to nurture, to have a sense of who a student is.”

New Obama-Duncan Policies Complicate Federal Education Law Reauthorization

Although the Administration’s public education strategies are troubling on their own, they will also further compound the festering problems brought by No Child Left Behind (NCLB), the latest reauthorization of the Elementary and Secondary Education Act (ESEA), passed by Congress in the fall of 2001, and signed by President George Bush in January of 2002. NCLB culminated a movement through the 1990s toward test-based business accountability for public schools. Although the churches have long opposed national alarms of tests and advocated for a massive overhaul, the five-year reauthorization of ESEA, due in 2007, continues to be delayed. Here are four of NCLB’s most serious problems that Congress needs to address.

No Child Left Behind demands rapidly increasing outcomes as measured by test scores, but it has not equalized resources. Schools remain unequal because school funding, as defined in state constitutions, continues to depend on local property taxes. While some suburban schools spend more per pupil than do the inner city poor families. Children in underfunded schools may also be experiencing hunger, lack of quality health care, and high family mobility among many other overwhelming challenges. Poor children are likely to be cut off from the opportunity systems privileged families can access for their children. And yet, NCLB demands more of the poorest children, their schools and their teachers that adequately supporting their schools or improving their circumstances outside school.

No Child Left Behind has been largely silent about the resources that create the opportunity to learn. Congress has never even fully allocated the money it authorized when the law was passed. By 2008, NCLB had been cumulatively underfunded below what Congress authorized by $71 billion. Nor has Congress used federal leverage to press states to address the problems of NCLB. NCLB has equalized neither facilities, nor program offerings, nor class size across wealthy suburban and poor rural and urban systems.

No Child Left Behind operates through a massive regime of sanctions and rewards that are approved by sanctions for schools that cannot quickly raise scores for all groups. All schools that cannot quickly raise scores and that therefore fail to make Adequate Yearly Progress will face the sanctions that include diverting Title I funds to transport children to other schools and to provide privatized tutoring services. The punitive philosophy has resulted in a narrowed curriculum focused on the tested subjects of basic reading and math. In the schools that have struggled hardest to raise scores, school time has been dominated too often by test preparation, at the expense of studies, literature, the arts and even recess. The law imposes a 2014 deadline by which schools must make all students proficient or be ranked “in need of improvement.” This means that more than half the schools carry this “failing” label, with the number continuing to grow. Students themselves suffer “consequences,” because many states have made passing the tests high stakes, resulting in retention in grade or ultimately denial of high school graduation.

Because ESEA has not been reauthorized, unless Secretary of Education Arne Duncan stops pentruing the sanctions of NCLB, schools will continue to experience sanctions. To the Obama Administration’s credit, their Department’s Blueprint for the reauthorization proposes to eliminate the onerous Adequate Yearly Progress requirement and the 2014 deadline, as well as some of the sanctions—specifically the use of Title I money to help students in so-called “failing” schools to transfer out, and the “suspended educational opportunities” program that has wasted Title I money and accomplished little apart from unleashing a vast and poorly regulated privatized tutoring sector. However, the Obama Administration does not propose to reduce the amount of standardized testing. The Administration has created incentives for states to pass legislation that will allow legislatures to tie teachers’ evaluations and salaries to students’ scores on NCLB’s current tests. Although the President has said that tests will now monitor student progress over time, and although the Department of Education has set aside money for the development of “value added” tests, at this time no valid system of growth-model tests is operational in any state.

So society seems to have begun worshiping standardization. NCLB has incorporated a
Federal Policy must address educational policy issues as a primary “school improvement” strategy. Children need fewer tests, and those that are employed should be better designed to improve instruction, measure real performance, and encourage exploration, imagination and critical thinking. The church must insist that Congress redirect its attention to the needs of each child, created in the image of God, by insisting that a rich and rewarding school curriculum replace today’s fixation on standardized test scores.

Federal policy must support and improve, not punish, public schools. America’s poorest communities need school improvement requires adequate resources and intense, collaborative work by school professionals. The Consortium on Chicago School Research, in a 20 year longitudinal study, identifies five essential supports that have been shown to improve academic achievement in public schools—the presence of a principal who is strategic and focused on instruction; a hospital and connected environment for families; professional and highly skilled teachers with support through quality; a safe, stimulating learning environment; and a high quality, academically challenging curriculum—all of which must be supported by attention to building a stable climate of relational trust among the school staff and students. The Administration’s proposal to make a larger portion of ESEA allocation debate. Congress should also assist school districts by fulfilling a promise it has with Disabilities Education Act. These two steps will be important to use that delay to speak regularly with Senators and Congressional Representatives about four elements that a just ESEA

Federal policy must address public school inequality. In the upcoming reauthorization of the ESEA, Congress should allocate federal resources for use to its power to press states to close achievement gaps and recognize the church as a partner in improving education. Congress should also support school districts by fulfilling a promise it has to achieve a larger portion of Title I funding competitive grant program. No child should lose services because her school district lost out in a competitive funding race. No child should lose services because her school district does not have the fiscal capacity to hire a staff of skilled grant proposal writers. The Title I formula program is important as the federal government’s primary tool for distributing funds for the purpose of expanding opportunity for poor children at school.

Federal policy must reduce reliance on standardized tests as a primary “school improvement” strategy. Church districts by fulfilling a promise it has to improve instruction, measure real performance, and encourage exploration, imagination and critical thinking. The church must insist that Congress redirect its attention to the needs of each child, created in the image of God, by insisting that a rich and rewarding school curriculum replace today’s fixation on standardized test scores.

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