



Whiteboard  
Advisors

*Education Insider: Tracking Measures,  
2014 Elections & Education, Vergara,  
Future of Common Core/Assessments*

October 2014

## Why *Education Insider*?

We harness the wisdom of well-connected influentials to provide insights and predict policy outcomes for stakeholders in the education debate.

### The Value

**Whiteboard Advisors** is a policy-oriented consulting practice. We provide proprietary research and strategic support to investors, philanthropic donors, nonprofit leaders, and entrepreneurs who seek unparalleled understanding of the education policy and business environments.

*Education Insider* helps those who need quality information to make high-stakes decisions about the direction of federal policy. *Education Insider* combines the wisdom of informed crowds with expert analysis to offer unparalleled information, analysis, and forecasting on a range of federal education policy issues and likely outcomes.

*Education Insider* conducts an anonymous survey of a **small group of key education influentials** (policymakers, thought leaders, and association heads) to get their thoughts and commentary about the context of the current debate and possible outcomes. This helps surface the underlying dynamics that can affect the trajectory of policies, positively or negatively, and go deeper than the conventional wisdom and rhetoric.

## Why *Education Insider*?



### The Process

***Education Insider*** is a monthly report that uses a proprietary model to cut through the noise and provide real-time insights on national education policy trends, debates, and issues—from a small group of approximately 50–75 Insiders who are close to the process. We conduct a survey of these influencers, which includes their candid opinions and insights, to provide a unique perspective on K–12 and higher education. The views expressed do not necessarily represent the viewpoints of Whiteboard Advisors or any of its employees.

### Who Are the Insiders?

Influential leaders who are shaping federal education reform, including individuals who have served or are currently serving as key policy and political “Insiders,” such as:

- current and former White House and U.S. Department of Education leaders;
- current and former Congressional staff;
- state education leaders, including state school chiefs and former governors; and
- leaders of major education organizations and think tanks, as well as other key influentials.

## Executive Summary

A small majority of Insiders think PARCC and Smarter Balanced are on the right track: **54%** of Insiders think that PARCC is on the right track. **53%** think the same about Smarter Balanced.

**90%** of Insiders think that the pending charter schools bill will be more likely to pass if Republicans take control of the Senate. **50%** think the same thing about the research bill.

**68%** of Insiders think that Sen. Lamar Alexander will be the most influential senator on education in the next two years.

**72%** of Insiders think that implementation of a college ratings plan will be less of a priority if Republicans gain control of the Senate.

- There is an active debate among education leaders about what constitutes victory for the Common Core assessments, with some arguing that if 20 or 25 states do the standards with fidelity it would constitute a major historical success. When asked about future state participation most Insiders think that fewer than 20 states will use either the PARCC/SBAC assessments or a common cut score in five years.
- If Republicans gain control of the Senate, some two-thirds of Insiders believe that they will focus on data privacy initiatives and changes to the Gainful Employment regulations.
- Almost all Insiders think that *Vergara*-type litigation will spread, following on the heels of the landmark California litigation. A significant majority think that such litigation should spread, because it will have a positive outcome on teacher tenure policies.
- Insiders see the education research bill as the only education legislation with a significant chance of moving during a post-election lame duck session of Congress.
- Fifty percent of Insiders think that 20 or more states will use standards that are 75% Common Core aligned; 42% think at least 20 states will use standards that are 90% aligned.

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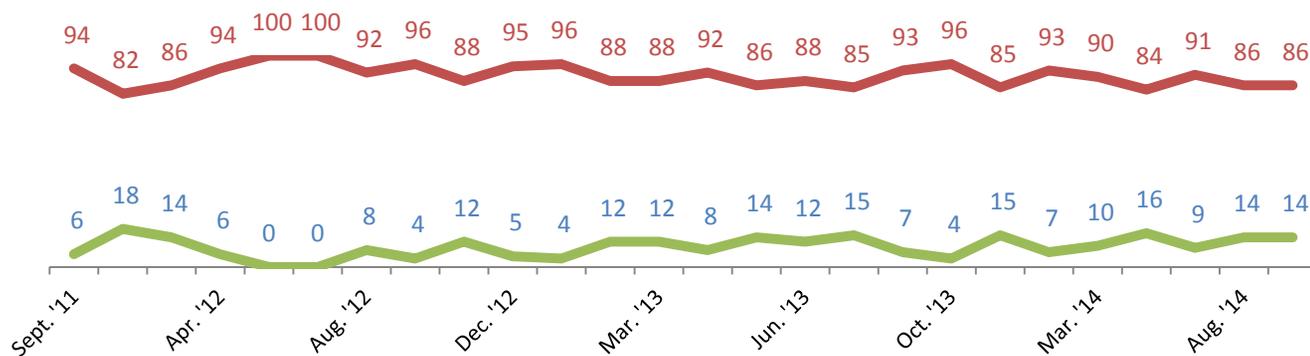
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# Approval Rate for Congress Flat; Administration Approval Drops

## Job Approval on Education

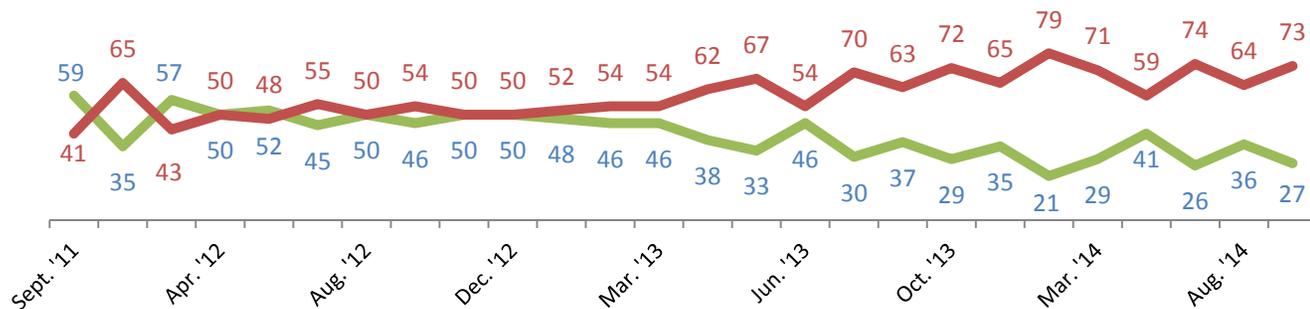
**Congress**


  
 14% 86%



**Administration**

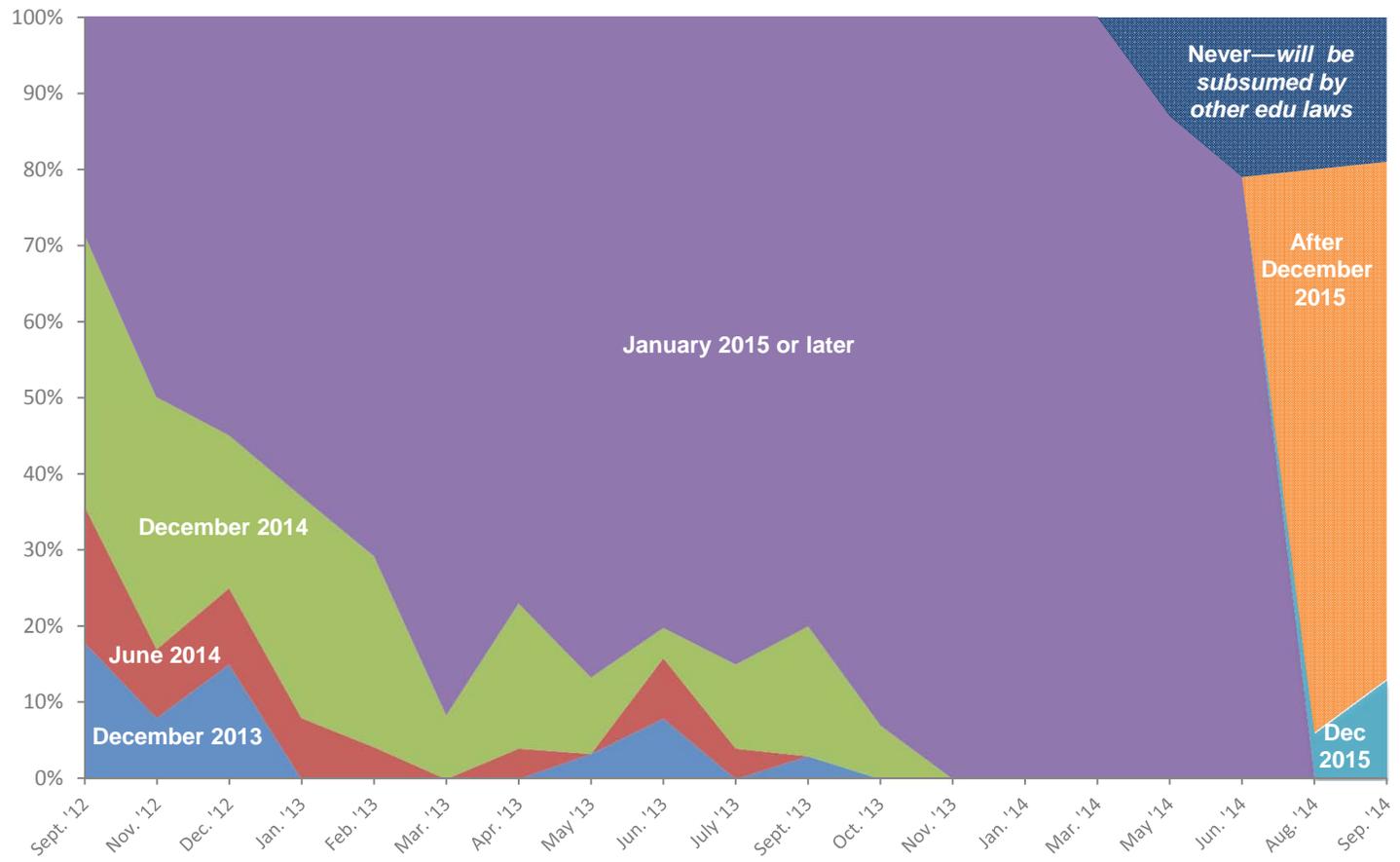

  
 27% 73%



Question: Do you approve or disapprove of the way Congress/the Administration is handling education?

# Timing of ESEA Reauthorization

Insiders' predictions about ESEA reauthorization timing remain stable, with 68% selecting "After December 2015" and 19% saying it will not be reauthorized.



Question: About when do you believe a final ESEA bill will be signed into law?

## Insider Insight: ESEA Reauthorization Timing

### Comments from Insiders:

- “If the Republicans take over the Senate, there is a good chance they [will] pass an ESEA to take it off the 2016 radar.”
- “The more waivers become the standard operating procedure, the harder to get an ESEA which restricts states’ flexibility. Forty horses wandering outside the stable will be hard to get back in a confining corral.”
- “Won’t [happen] while Obama is president.”
- “Barring major catastrophe with waivers (e.g., several state lawsuits) I think Congress will wait for the next administration that they think will be more open to reauthorization.”
- “What’s to approve of? Neither the Hill nor the Administration seem to be doing much of anything. Are we to praise an education research bill passing the Senate?”
- “New Congress; new people; learning curve.”
- “January 8, 2002, by President Bush. C’est finis. RIP.”
- “As much as ESEA isn’t going anywhere fast, agreement on WIA, CCDBG, and hopefully ESRA soon, shows us that Congress can pass bipartisan ed bills.”
- “Chairman Alexander and Chairman Kline will be able to successfully negotiate a deal with Sen. Murray and the Administration.”
- “I’m not convinced the reauthorization is going to happen before 2016 election. Within the Senate, the proposals are too different to think the R’s and D’s have any interest in negotiations.”

# Common Core Assessments—Right Track or Wrong Track?

Are the assessment consortia on the right track or wrong track?



Question: Are the assessment consortia on the right track or wrong track?

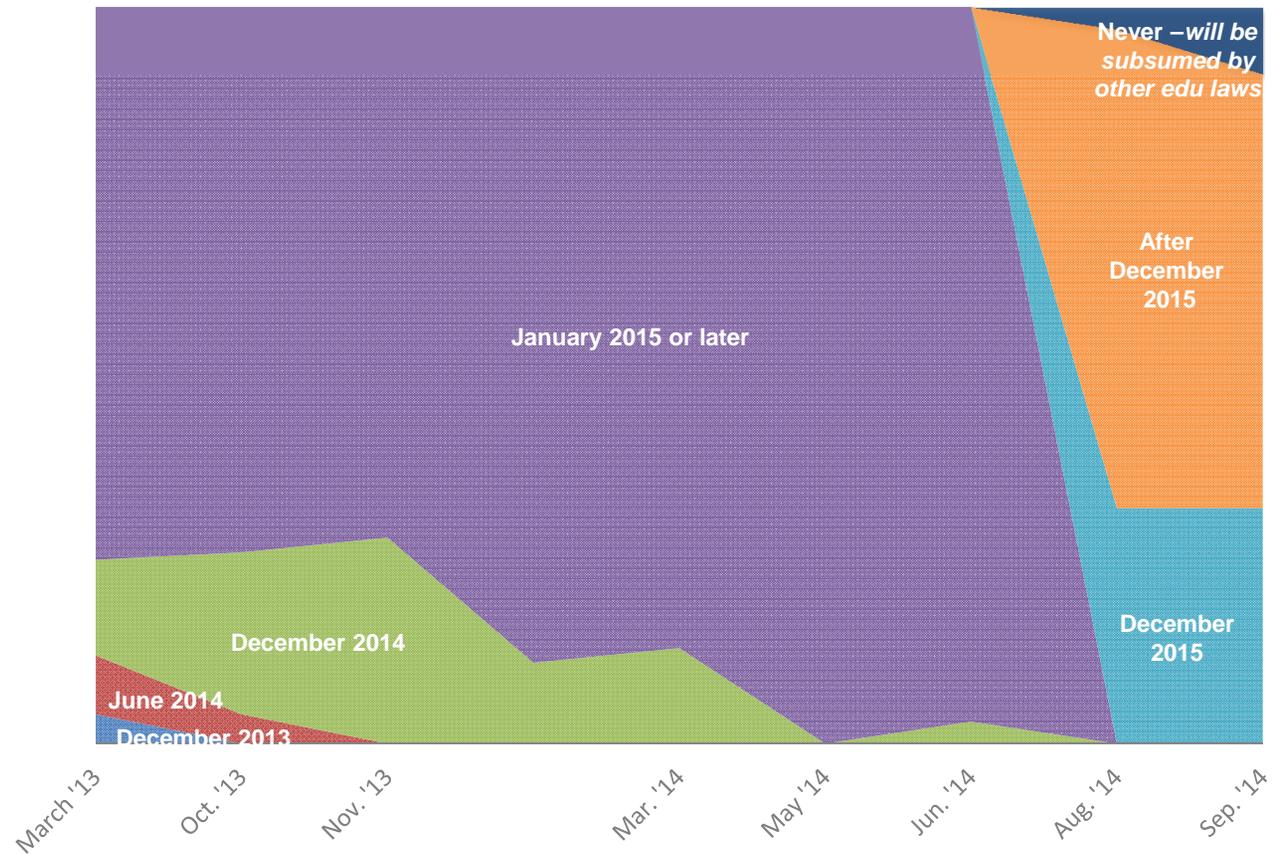
## Insider Insight: Right Track / Wrong Track

### Comments from Insiders:

- “The assessments are much more performance-based and higher order than current ones. The question is whether they can survive the politics.”
- “Neither consortium is winning fans. Quite the contrary, they are losing supporters. And those opposing the test are now affecting the number opposed to standards themselves. Doesn’t matter how great the test is, if teachers and parents don’t believe in it, it is worthless.”
- “Assessments are okay; timing is off and states are all over the place.”
- “Watching the consortia struggle to stay on their feet until spring 2015 is like watching the end of an Ironman. It’s painful for the participants and painful for the viewers and forces you to ask if the entire endeavor was really worth it apart from proving stubborn endurance.”
- “Slow progress seems to be happening. Trial runs went well.”
- “All the usual technical challenges but as the Common Core fight heats up they’re an obvious political target.”
- “Both are going to fail, it’s just a question of when.”
- “I’m concerned about their ability to develop a business plan that will sustain their effort beyond federal funding.”
- “All the work will largely come to naught since most states ultimately won’t use the stuff, and the ones that do, won’t for long.”

# Timing of Higher Education Act Authorization

Nine percent of Insiders think that HEA will never be reauthorized. The majority think it will not happen until after December 2015.

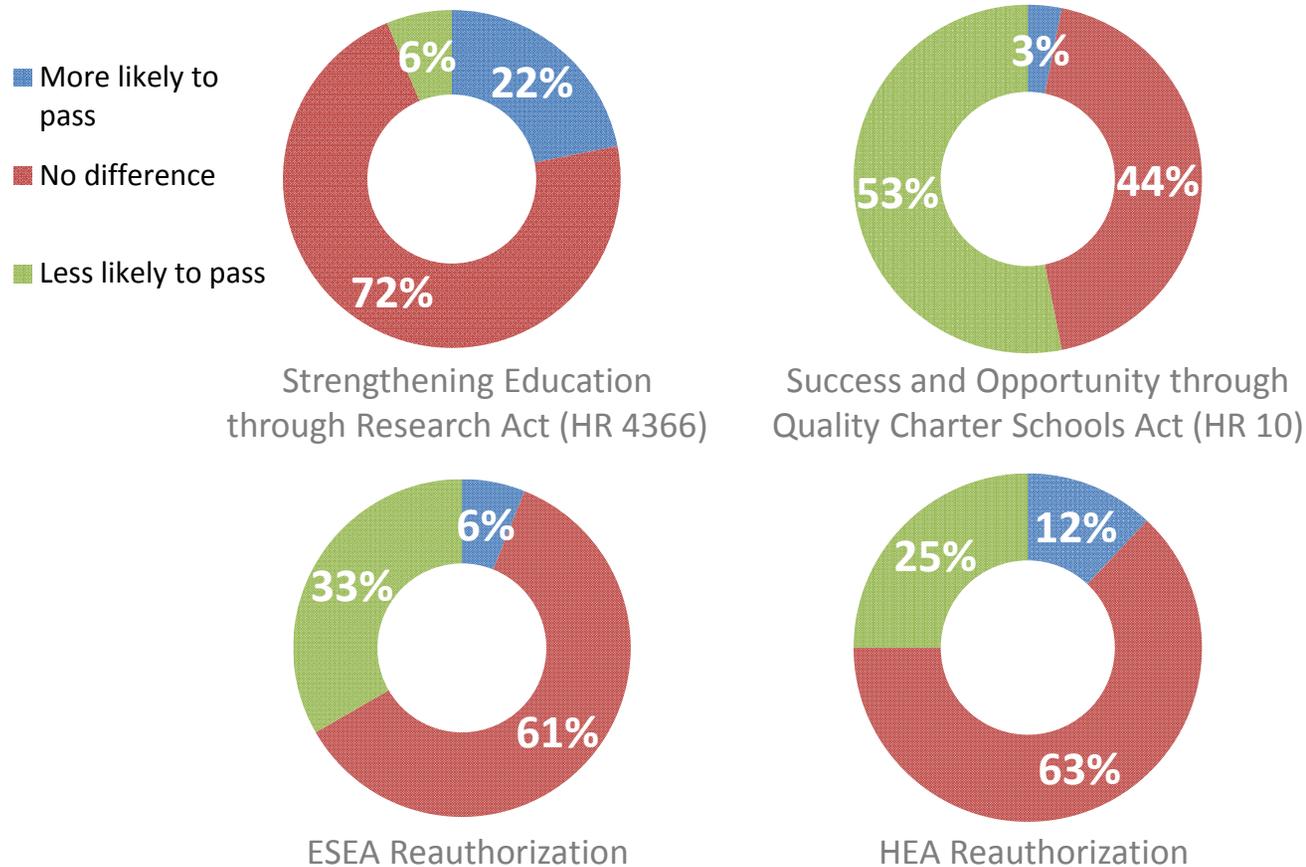


Question: By about when do you believe a final Higher Education Act (HEA) bill will be signed into law?

# Insiders Think Pending Charter Schools Bill Will Be Less Likely to Pass If Democrats Keep Control of Senate

A majority of Insiders think that if Democrats keep control of the Senate, the pending charter schools bill will be less likely to pass.

For other pending bills, most Insiders think partisan control will make no difference.



Question: Assuming Democrats keep control of the Senate, what will happen to the following pending education legislation?

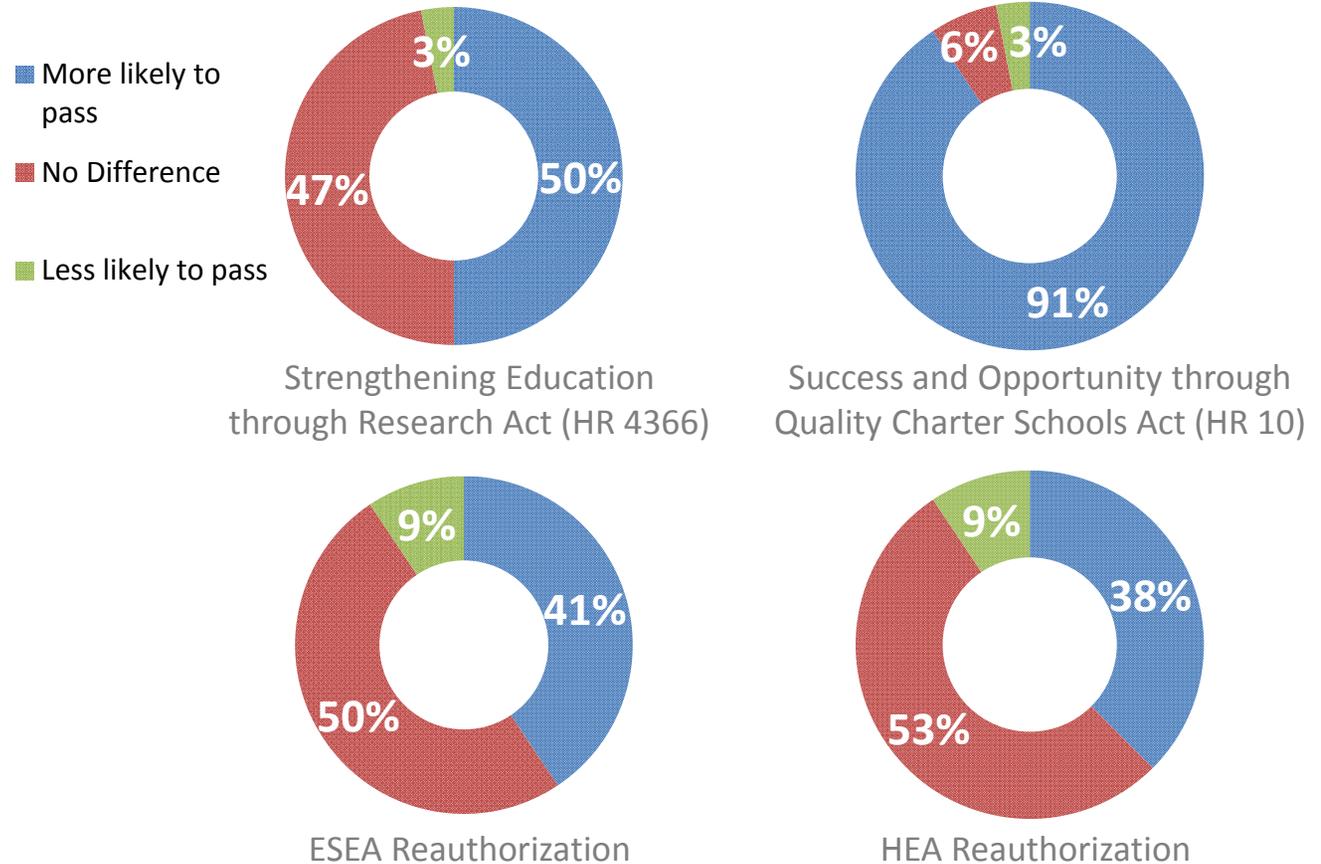
## Insider Insight: Democrats/Senate

### Comments from Insiders:

- “If Senate stays in Democratic control, the margin will likely be lesser, meaning even less ability to overcome filibusters.”
- “If the Dems hold the Senate, why would we expect more action? They have the Senate and Administration now, but are doing nothing. We expect that to change heading into a presidential election year?”
- “Won’t really make a difference—no one can stop filibusters and there’s no incentive on either side to compromise.”
- “Hard to imagine much will change from status quo if they hold on.”
- “SETRA is going to pass either way—possibly even before the election.”
- “Other than the charter schools bill, I think they’re all up in the air. Regardless of who controls the Senate, neither party will have a supermajority.”
- “If the Senate stays Democrat, nothing will find its way to Obama’s desk. Senate will be a nuclear wasteland until after Obama leaves the scene. Plus with his lack of leadership on ISIS, we’ll probably all be dead anyway. But at least he’ll get a few more rounds of golf in.”
- “No matter who retains or takes over the Senate, I’m pessimistic about the political will of Congress to take on issues (e.g., effective ways to leverage federal legislation to address the skills gap) to address significant issues in the country.”

# Most Insiders Think the Charters Bill Will Be More Likely to Pass If Republicans Take Control; Mixed on Education Research Bill

A majority of Insiders think that if Republicans take control of the Senate, the charter schools bill will be more likely to pass. They're split on the education research bill.



Question: Assuming Republicans take control of the Senate, what will happen to the following pending education legislation?

## Insider Insight: Republicans/Senate

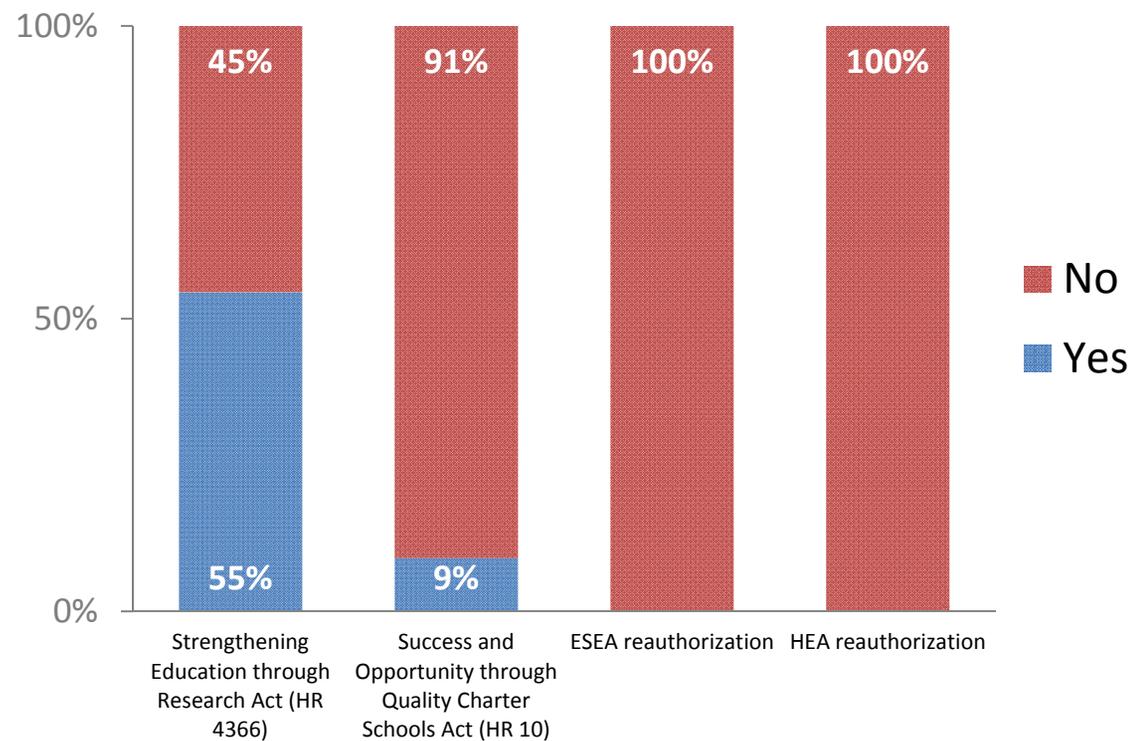
### Comments from Insiders:

- “For the next two years, a Republican Congress must contend with an outgoing Obama administration that is not likely to rubber stamp action by the same folks that frustrated it [for] so many years. While able to pass legislation, the Republicans won’t have the necessary numbers to overcome vetoes.”
- “R’s will push charter school bill and research should be bipartisan.”
- “As Chairman, Alexander will try to get things done. He may even work with Arne and ED. But passing legislation isn’t the same as having the president sign it into law.”
- “Republicans will see education as less of a priority, in general. Aside from charter schools, I can’t see any of these bills being a huge priority.”
- “Alexander knows how to make a deal, Murray knows how to take one. The two of them and Kline will be able to pass a very significant number of bills in the first 16 months.”
- “Regardless of who controls Congress, they should start with the low-hanging fruit such as Perkins.”
- “There’s no will or leadership to move a major piece of legislation any more. Sad and rather unbelievable to say, but Bush/Boehner/Miller/Kennedy/Gregg were the last team to do so for a generation.”

# Insiders Are Skeptical about Legislative Activity during a Potential Lame Duck Session

Almost all Insiders do not think any legislation will be enacted during a lame duck session of Congress, with the exception of HR 4366, the Strengthening Education through Research Act.

Is any of the following pending education legislation likely to be enacted during a lame duck session of Congress?



Question: Is any of the following pending education legislation likely to be enacted during a lame duck session of Congress?

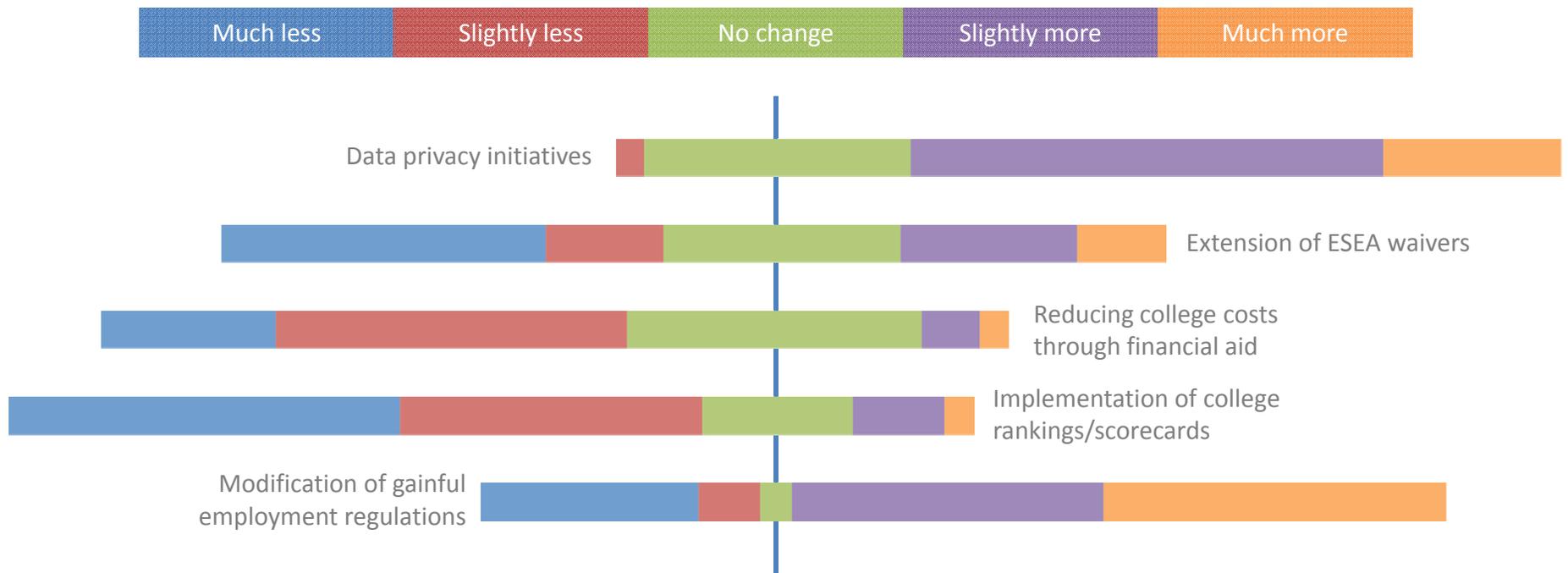
## Insider Insight: Lame Duck Session

### Comments from Insiders:

- “Maybe, maybe HR 4366.”
- “Unless there is a particular education parting gift coming for Harkin and Miller, education policy work is done for the year.”
- “If they don’t finish SETRA before the election they will likely finish in lame duck.”
- “Lame duck will be lucky to pass a CR.”
- “I said the research bill might move but that’s really only relative to the others. It’s pending and if they decide to move some omnibus bill to finish some work it’s a candidate but long odds.”
- “[The Strengthening Education through Research Act] is close to the finish line, and I wouldn’t be surprised if it was signed in lame duck. It’s not really partisan anyway.”
- “Lame duck will be about nominations, the next CR, ISIS, Ebola, and whatever Obama does on immigration after he loses the majority in the Senate.”

# Insiders Think That Gainful Employment and Data Privacy Will Be Greater Priorities, College Rankings/Costs Lesser, If R's Gain Control

If Republicans gain control of the Senate, will the following policies be more or less of a priority for Congress?



Question: If Republicans gain control of the Senate, will the following policies be more or less of a priority for Congress?

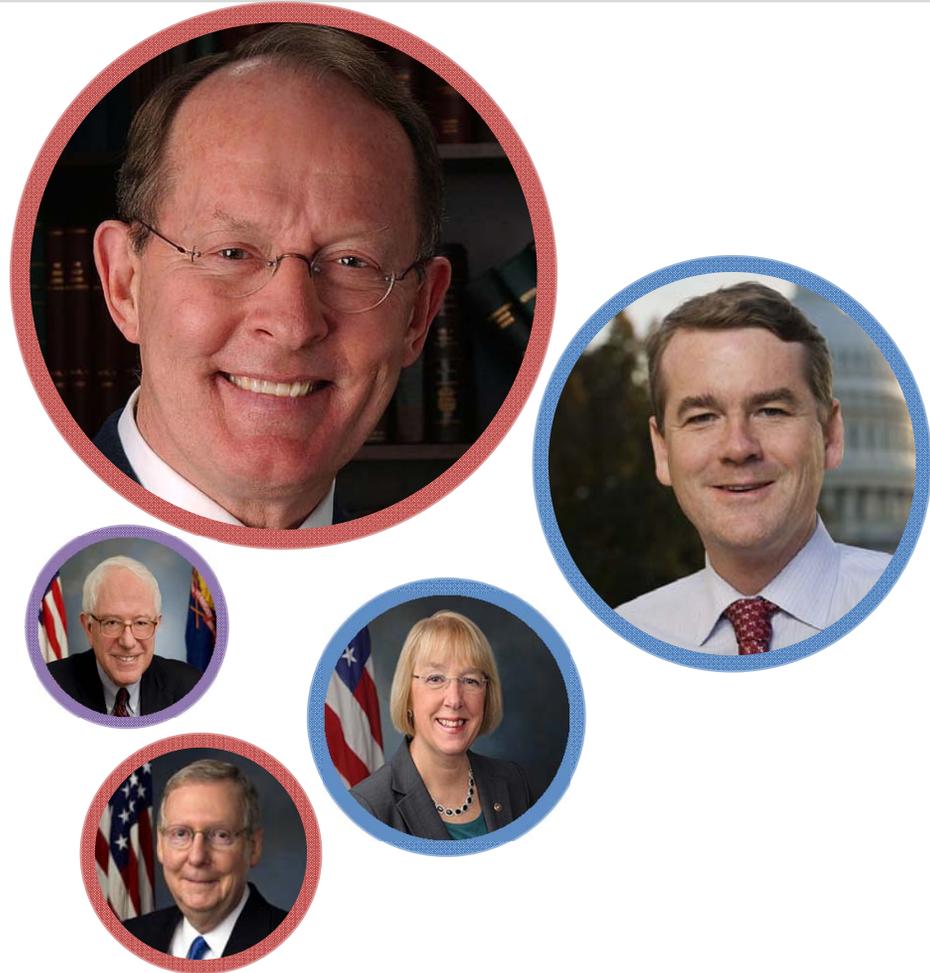
## Insider Insight: Congress's Priorities if Republicans Gain Control

### Comments from Insiders:

- “Data and privacy will have the most sizzle for Republicans as well as Dems.”
- “Only ‘more of a priority’ assuming that ‘priority’ means an effort to block or roll back things like GE, waivers, college scorecard, etc.”
- “The newest DC parlor game is trying to figure out how the U.S. Dept. of Ed will make a greater mess of federal policy. No matter where Vegas sets the USED bungling bar, take the over.”
- “The issue of wavier extension will be more of a priority with Republican control of both chambers.”
- “Depending on the Administration’s actions in the next few months, you could see a Republican Senate try to roll regulations back or prevent the Administration from moving forward. Data privacy could also be a priority.”

## Who Will Be the Most Influential U.S. Senator on Education Policy in the Next Two Years and Why?

Sixty-eight percent of Insiders think that Lamar Alexander will be the most influential senator on education policy in the next two years. Eight percent said Bennet. Senators Sanders, Murray, and McConnell also received votes.



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Question: Who will be the most influential U.S. senator on education policy in the next two years and why?

## Insider Insight: Who Will Be the Most Influential U.S. Senator on Education Policy and Why?

### Selected comments from Insiders:

- “Lamar Alexander is always an education MVP. For Dems, Murray takes the lead with Bennet having the potential to be a strong force behind the scenes.”
- “Senator Alexander—can bring lots of the conversations together and build bridges for action rather than just talk.”
- “In either case, Lamar Alexander. Even if the Democrats retain control of the Senate, he will have a very big impact.”
- “Lamar Alexander. He holds the gavel if Republicans take over, and he’s been the linchpin/obstacle to negotiations with Democrats in control. If he can pull his caucus along, look for him to make a few deals to show he can get something done.”
- “Senator Alexander, whether or not he chairs the committee. He will be a swing member and influential in moving his fellow Republicans; he understands compromise and negotiation.”
- “Lamar Alexander. Even if the Republicans don’t take control of the Senate, there isn’t a strong Democrat to take over for Harkin.”

## Insider Insight: Who Will Be the Most Influential U.S. Senator on Education Policy and Why? (continued)

### Selected comments from Insiders:

- “McConnell—for determining what gets on the floor.”
- “Bernie Sanders. He will pull Dems to the left on the issue again if he stakes out a national platform. Think Zephyr Teachout with a base and some political chops.”
- “Senator Alexander will be the most influential senator on education until he retires. No question.”
- “Lamar Alexander; he’ll likely be the chairman, so the agenda will start and stop with him regardless of the interests of other senators.”
- “Though many will say Alexander to this question if the R’s win, the true answer is there will be no influential senators in the next two years.”
- “Lamar Alexander—because he has the strongest combination of interest [in] and knowledge [of] the topic and will hold a key committee post.”
- “Patty Murray will play a lead role on HELP, Labor H and Budget, and is an experienced negotiator with a strong interest in education. A lot will hinge on her approach.”
- “Senator Bennet because he is a moderate and likes to work in a bipartisan way.”

## Who Will Be the Most Influential U.S. Representative on Education Policy and Why?

Fifty-nine percent of Insiders think that John Kline will be the most influential U.S. representative on education policy in the next two years. Nine percent said McCarthy, and the rest spread their votes out among others, including Representatives Boehner, Polis, and Foxx.



Question: Who will be the most influential U.S. representative on education policy in the next two years and why?

## Insider Insight: Who Will Be the Most Influential U.S. Representative on Education Policy and Why?

### Selected comments from Insiders:

- “Chairman Kline is always key. Main question is whether Speaker Boehner wants to assert his education background. Also, I look to Rep. Bobby Scott to become increasingly assertive now that he is ranking member of education.”
- “John Boehner—will determine whether anything gets done.”
- “Kline will continue to decide what bills make it out of committee.”
- “The majority leader. He will decide if he lets Republicans do something on education or not.”
- “Bobby Scott. Depending on how strong he is on accountability and maintaining at least some of NCLB, he could keep ESEA from becoming nothing but block grants.”
- “It could be Jared Polis playing a swing role between the majority and the minority.”
- “John Boehner—if he’s still speaker he’ll control what gets on the broader agenda.”
- “John Kline; he’ll likely be the chairman again and leadership lost its most vocal voice on education.”
- “Kline will continue along with Virginia Foxx.”

## Insider Insight: Republican Legislation

**If Republicans were to hold the majority in both the House and the Senate, what would be the first piece of education legislation presented to the president for signature?**

Many Insiders said ESEA, HEA, and charters. Other comments:

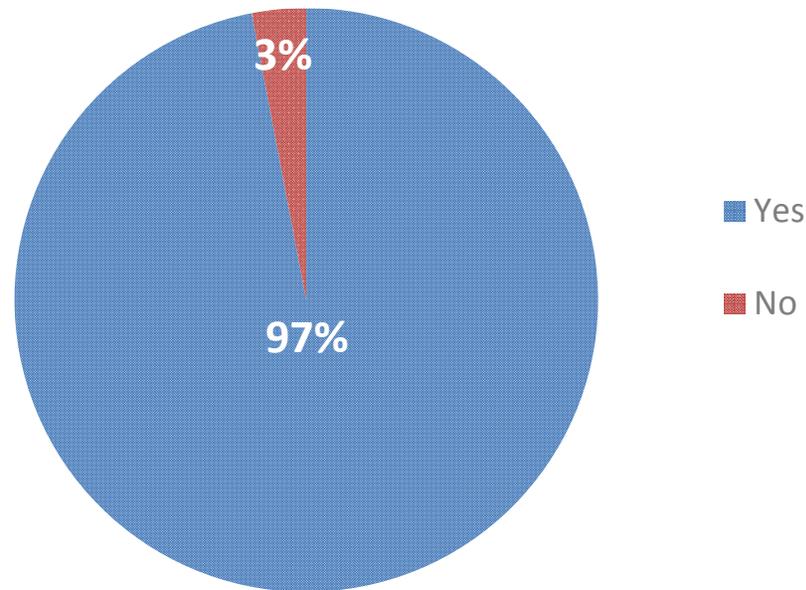
- “The education science act, and possibly the charter school legislation which has broad bipartisan support. I also wonder whether Republicans may try to pass a Common Core State Standards poison pill.”
- “Possibly Gainful Employment changes, but doesn’t seem like the ‘big message’ that this new condition requires. Perhaps pieces of ESEA around testing/AYP so as to dismantle the craziness of the waiver situation.”
- “Probably something trying to gut the testing requirement/waiver reqs (purely for politics).”
- “They’ll just try to repeal Obamacare.”
- “College rankings. Easier to pass accountability that deal with affordability.”
- “Strengthening Education through Research Act unless you count the Child Care Development Block Grants. But they are linked.”
- “ESEA reauthorization. The Alexander bill and the Kline bill are close and no Senate Democrat will keep it from moving.”
- “If you don’t count budget bills, prob higher education.”
- “You think they’ll present legislation to the president for signature?”
- “I find it hard to believe that anything will move.”
- “DC vouchers!”

## Almost All Insiders Think That Vergara Is Just the Beginning of Similar Lawsuits around the Country

During the summer of 2014, the *Vergara v. California* lawsuit effectively ended teacher tenure in the state by striking down a number of education employment laws.

Almost all Insiders think litigation like this will spread to other states.

Will Vergara-type litigation spread?



Question: Earlier this summer, the *Vergara v. California* lawsuit effectively ended teacher tenure in that state by striking down a number of education employment laws. More recently, a similar lawsuit has arisen in New York. Do you expect this kind of litigation to spread to other states?

## Insider Insight: Will *Vergara*-Type Litigation Spread?

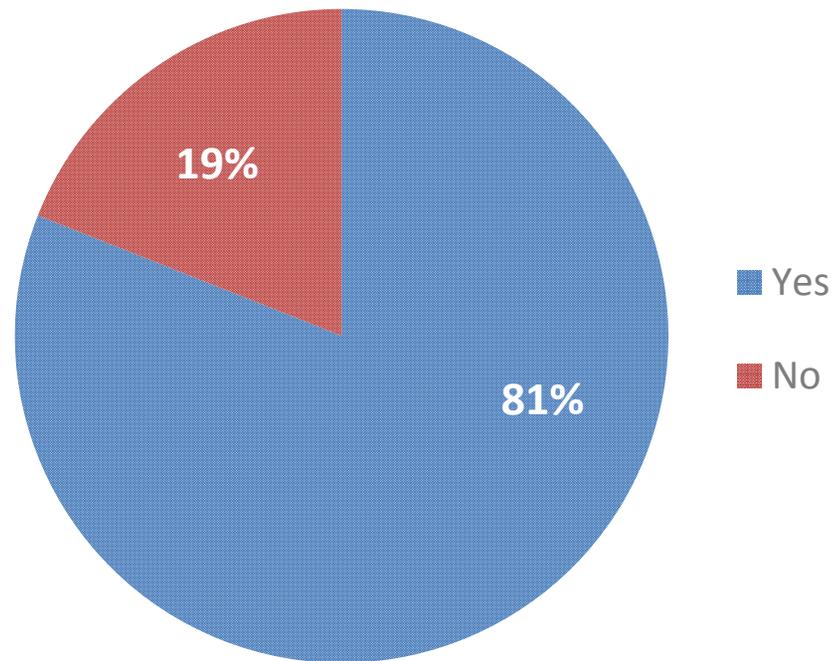
### Comments from Insiders:

- “Already organizations in other states are filing similar litigation. However, most states did not [have] as sweeping teacher pension and tenure provisions as California, so similar outcomes are not as predictable.”
- “It already is spreading. Not just suits challenging ‘tenure’ but reduction in force policies (LIFO) likely as well.”
- “As long as reformers win, they will keep filing lawsuits. Litigation becomes the new advocacy.”
- “Times are a-changin’.”
- “It’s an easy target and hard to defend.”
- “Teacher tenure as structured is too rigid and is losing public support. So it will be attacked in courts.”
- “Unclear how long it will take to resolve such suits, including *Vergara*.”
- “Yes if New York gets any traction—political or legal. It’s a no-lose strategy for advocates. If they win in court it forces policy change, if they lose it still highlights how awful these policies are.”
- “There are many states that could make the case that tenure laws stand in the way of children’s access to a high-quality education. Whether the movement has the money and media presence to move forward with these cases in multiple states is an open question.”
- “If it can happen in California, it can happen anywhere.”
- “Common Core will only increase this type of litigation.”

## Most Insiders Favor the Spread of *Vergara*-Style Litigation

Most Insiders think that there is benefit in such litigation taking place in other states around the country.

Do you think it *should* spread?



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Question: Do you think it *should* expand?

## Insider Insight: Should Vergara-Type Litigation Spread?

### Comments from Insiders:

- “The California decision stated what was clearly unacceptable, but left to the legislature to decide how to correct [it]. The California court struck the right balance between stating what was clearly unacceptable, while deferring to the Legislature for its action.”
- “Yes, the same issue that applies in California applies in other states. This isn’t a state-specific issue or problem.”
- “No. While this type of litigation may spread in the short term, this is overall not a great strategy to address some of the legitimate problems with teacher tenure. By taking the political voice out of the tenure discussion—a discussion that impacts teachers as well as students and parents—unions will be, understandably, much less likely to sit down at the table to negotiate these issues. Also, this reminds me of all the expensive school finance lawsuits that we have had for years that at the end of the day haven’t really helped students achieve a better education. Lots of expensive acrimony, and likely few results. Even if one assumes some more wins using this strategy, implementing the winning judgments will be far from easy—and will likely lead to more lawsuits over specific implementation issues.”

## Insider Insight: Should Vergara-Type Litigation Spread? (continued)

### Comments from Insiders:

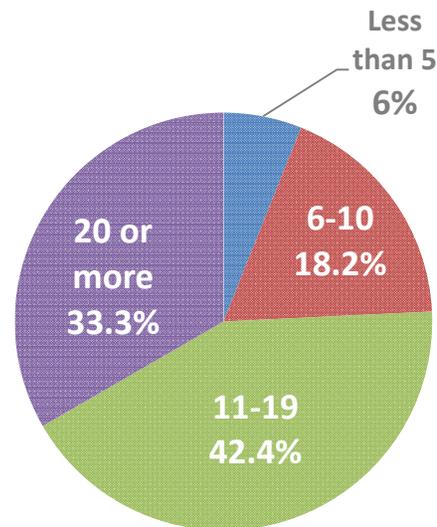
- “Don’t have strong priors either way and think the going will be harder in other states than it was in California.”
- “Tenure is a red herring, and the courts will ultimately protect due process rights. The discussion is teacher quality, and tenure doesn’t quite get us there.”
- “Yes. It will put pressure on the teacher unions to figure out a way to get rid of seriously underperforming teachers.”
- “We desperately need to reform the structure of the teaching workforce and this is a major, but not the only, problem with the structure.”
- “The courts are not the first place you want to go on things like this but the hammer-lock teachers’ unions have at the state level leaves few other options.”
- “These cases change public opinion. They’re expensive, but they’re convincing voters and elected officials that they do not have to adhere to the unions on every issue.”
- “Teachers’ unions need to be systematically demolished if we want to have a chance for our educational future.”

# Insiders Weigh In on the Future of Common Core-Aligned Assessments

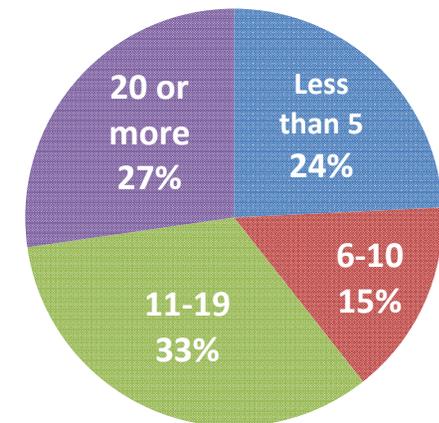
Sixty-six percent of Insiders think that fewer than 20 states will utilize assessments developed by one of the two major assessment consortia in five years, and 72% think that fewer than 20 states will use a common cut score.

## Five years from now, how many states do you expect to...

Utilize assessments developed by one of the two major assessment consortia (PARCC and SBAC)



Utilize consortia assessments and a college-ready cut score in common with at least two other states



Question: Five years from now, how many states do you expect to...

Note – numbers do not sum to exactly 100% due to rounding

## Insider Insight: Future of Common Core-Aligned Assessments

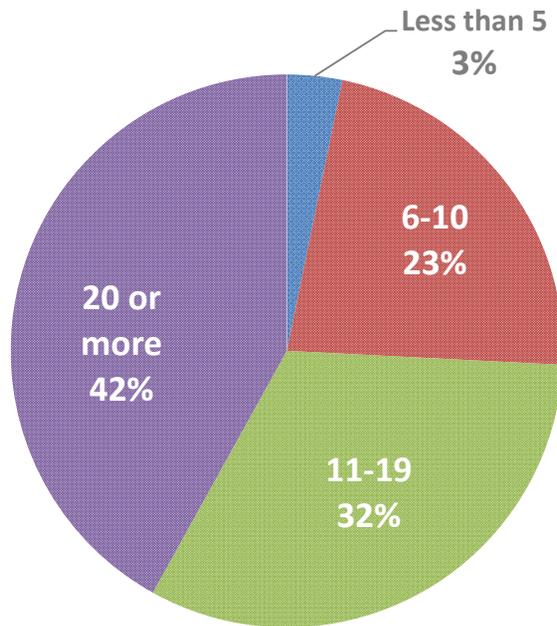
### Comments from Insiders:

- “The key period for the consortia is the next three years. If the consortia survive—both politically and financially—for this period, other states will probably adopt the assessments since they will be cheaper and easier to administer than most others. If the consortia falter, look to ACT to be the dominant CCSS and college-ready provider.”
- “Over time (and after the craziness dies down and if the consortia provide value) states will realize that this approach gets them richer, more contextual information and that it reduces their costs and serves their citizens and their education goals.”
- “11-19 is my low estimate.”
- “But I think PARCC and SBAC will be on the low end of that range.”
- “State consortium arrangements are really hard to arrange.”
- “Common cut scores? Wow, you are ahead of the curve. That’s when the tower of Babel starts to fall.”

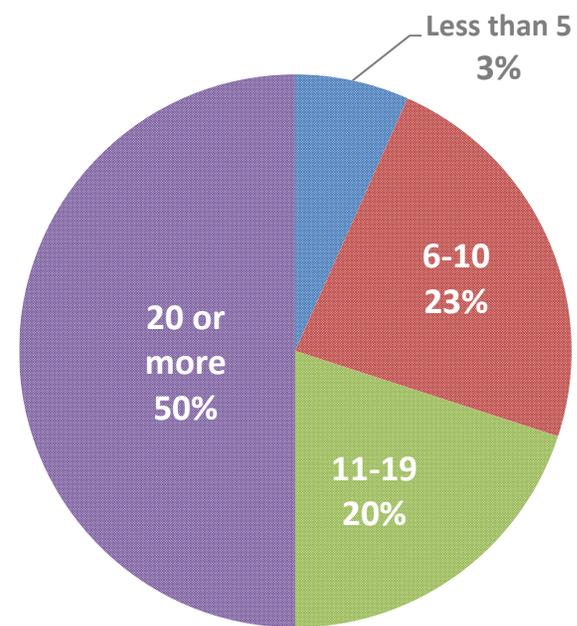
# Insiders Weigh In on the Future of Standards & Assessments

Five years from now, how many states do you expect to...

Use standards that are **90%**  
Common Core aligned



Use standards that are **75%**  
Common Core aligned



Question: Five years from now, how many states do you expect to...

**W/A**

# Whiteboard Advisors



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