

# NO CHILD LEFT BEHIND

## **No Child Left Behind**

The federal No Child Left Behind act is not a part of the consensus questions as it is federal legislation and something LWVC positions cannot address. However, this is a topic of much discussion at conferences committee members have attended, in interviews they have conducted, and at other presentations attended. NCLB has had and continues to have impacts on public education in California. Because this topic may be a part of the discussions local Leagues have as they come to consensus, the following information, taken from presentations made at the California School Boards Association's Annual Education Conference on December 11 and 12, 2003, is included for your information.

The No Child Left Behind act is the Federal Standards Based Assessment program that every school is required to implement if they are to receive federal funding.

NCLB requires that 95 percent of all students take the assessment on the one day it is given. This is not just 95 percent of the student body, but also 95 percent of each of the following subgroups: racial and ethnic minorities, English language learners (ELL), special education students, and low income students. Failure to reach this goal for any subgroup places the whole school at risk of being declared in need of improvement.

Each school must show Adequate Yearly Progress (AYP). Beginning July 2003, each district, each school and each subgroup in each school must meet the annual measurable objectives in English Language Arts and Mathematics; meet the 95 percent goal for each subgroup, not only at the local school site but when numbers are consolidated for the district; make at least a one point growth on the API, if below 560; and, for high schools, improve graduation rates by one-tenth of one percent. The tests used for this are the California Standards Test for grades 2-8 and the California High School Exit Exam for grade 10. Failure to make these goals by even one subgroup can place the school in the Program Improvement group.

Program Improvement is an elaborate schedule of corrective measures over a multi-year span. The first year a school does not meet AYP, it receives a warning. If AYP is not met two years in a row, the second year the school will be designated a Program Improvement (PI) school. If this happens, the school must notify parents, offer transfers with transportation to another public school in the District or Local Education Agency (LEA) that is not PI, revise the school plan, and set aside 10 percent of its federal funds for professional development. These are most usually Title I funds. Any school that makes AYP two years in a row can exit PI.

If a school does not make AYP three years in a row, it must also offer supplemental services to students and notify parents of this. Supplemental services are free tutorial programs of the parents choice. This can be after school programs at the school or outside programs such as those offered by Sylvan Learning Center (a for-profit, private company).

If the school fails to meet AYP for a fourth year, more drastic measures come into play. There are a number of options such as replacing school staff, implementing a new curriculum based on "scientific research," appointing an outside expert, or extending the school day or school year.

A fifth year of failure would trigger a plan for alternative school governance. A sixth year of failure would mean closing the school as it is and either reopening as a charter school, replacing all or most of the staff including the principal, contracting with an outside group to manage the school, or state takeover.

There are other requirements. States must establish English language proficiency standards, hold schools and districts accountable for meeting these standards and develop a test of English reading and writing skills for kindergarten and first grade students. There are goals and objectives for each year in growth of English proficiency.

Another area of requirements is in staffing. NCLB sets standards for what it qualifies as “a well qualified teacher.” These are in effect for Title I teachers and will be in effect for all teachers by the end of the 2005-06 school year. This is true for all core subjects including foreign languages, arts, history/geography, economics and government. All teachers must have a bachelor’s degree and a full credential. No more emergency, temporary or provisional certifications will be allowed and they must demonstrate subject matter competency. For new elementary teachers this is an additional test beyond the CBEST in both subject matter and teaching skills. For new middle or high school teachers this requires a major in the subject, an advanced degree in the subject, a new test (a Certified Subject Matter Test), or National Board Certification.

There are also qualifications for what they call “not new teachers,” usually called experienced teachers. They must also demonstrate subject matter competency by going through the HOUSSE (highly objective, uniform, state standard of evaluation) process. For elementary teachers this is a two-part evaluation. If enough points are gained on the first part based on experience, core course work, and professional development, they do not have to move to the second part which is observation and portfolio review of lesson plans and student work. For middle/high school teachers there are various ways to comply: pass a subject matter test, have a major or graduate degree in the subject matter one is teaching, national board certification or go through the HOUSSE process.

There are also standards for paraprofessionals working in Title I schools. They must have an AA degree and 48 units of college or pass a test of ability to assist in instruction of reading, writing and math.

There is also a strong parent involvement component. This is discussed in more detail on page 25-30 under site governance and parent involvement.

There is also a requirement that private schools, including religious organizations, receive their fair share of Title I funds. Districts are required to have timely and meaningful consultations with private schools and seriously consider their comments and concerns.

There are many concerns that have been raised as schools and districts are trying to comply with this act. One is that the standards and requirements for meeting the NCLB accountability requirements are different from those for the state accountability requirements. A school may meet the state API (Annual Performance Index) requirements, but fail to meet those for the federal AYP (Annual Yearly Progress) standards. A school may meet all API goals, yet have less than 95 percent of one subgroup fail to take the required test and therefore be declared a Program Improvement school. This can be confusing to parents and the community as they try to judge the quality of their local schools.

A second concern is the “highly qualified teacher” requirement. There is no question that every child deserves a highly qualified teacher, but some are concerned that the requirements are too rigid. Dr. Darline

Robles, superintendent of Los Angeles county schools, discussed this in her presentation to the Los Angeles County Inter-League Organization on July 24, 2004. This is a problem for her office in operating the alternative schools, often small “storefront” operations, for students who have been expelled for various reasons, but are not in the court or camp schools. Often one teacher must teach all subjects. This is also a problem in many of the small schools across the state where one teacher may need to teach many subjects. Dr. Robles indicated that when this was discussed in Washington two years ago “their ears were closed” but, in discussions this spring, there was more willingness to listen and consider alternatives.

A third concern, most often voiced by parents and teachers, is that there is too much testing and to what purpose. Dr. Robles also discussed this in her presentation. She stated that she was one of the few administrators who supported most of the NCLB act. Her opinion is that many do not know how to use the data derived from these tests to improve student achievement and more effort must be made to help schools and districts learn to do this. The example she used was how she had used collected but not disaggregated data in her eight years as Superintendent of Salt Lake City schools to cut the drop out rate by 50 percent. She was able to track children so they didn’t “fall through the cracks.” This still does not address questions many have raised about the tests themselves, time taken from classroom instruction for test preparation and administration and “teaching to the test.” More information on this is on page 76-79 in the accountability section.

When questioned about the 95 percent requirement, Dr. Robles said this was becoming less of an issue across the state. Except for Special Education students, all 1,823 schools in Los Angeles county had met this goal in the past year.

