

NCLB: Keep the Goal – Dramatically Change its Implementation Washington state’s call to reform the federal “No Child Left Behind” law

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Background

There was great hope among educators throughout the country when the federal “No Child Left Behind” act was passed that this ambitious new law would result in significantly stronger support for schools, teachers and students, and would ultimately lead to higher student achievement. NCLB, which reauthorized the Elementary and Secondary Education Act, showed promise of bringing new energy and resources to help our nation’s schools address the growing challenges of helping every child achieve his or her potential. The law passed with broad bipartisan support, and was conceived as a tool to eliminate the inequities in funding and teacher quality, and to provide opportunities for all students to learn. The idea of giving every child an excellent education, of “leaving no child behind” in our schools, is one every educator, parent and citizen continues to embrace wholeheartedly.

One of NCLB’s strongest features is its requirement that all student ethnic groups in our schools be accounted for in measuring achievement progress. Student achievement results are disaggregated demographically and reported publicly, resulting in far more attention being paid to traditionally underserved student populations.

Great goals, poor implementation

It is the great promise behind NCLB that makes its failure to accomplish its goals, seven years later, so disheartening. Those failures are due to serious flaws in its accountability system, assessment requirements and teacher quality provisions, as well as a lack of understanding about the substantial support and flexibility states and school districts need to seriously address the challenge of lifting student achievement at every level.

In addition, NCLB has substantially increased standardized testing of our students, centralized state reform activities, and micromanaged state and local education systems to the point of paralysis in critical decision-making areas. It also stifles innovation, and requires many students with disabilities and English language learners to take tests that are educationally inappropriate and unethical. The law provides no incentives for reaching ambitious achievement goals, only sanctions and punishments, for schools and educators who “underperform,” even in only one of as many as 37 categories.

As the law has been implemented over time, its unintended consequences are increasingly undermining its stated purpose. It is especially damaging to the morale and forward progress of talented, hard-working educators in schools with large numbers of low-income students, English language learners, and categories of students with disabilities in special education programs.

Congress must make significant changes to the Elementary and Secondary Education Act, and must do so in 2009.

Three guiding principles of reform

The federal government has traditionally played a critical role in supporting educational opportunities for underserved students, often those who live in poverty or are ethnic minorities. During the past seven years, particularly because of the requirement to disaggregate scores by student subgroups, NCLB has created a stronger awareness of those educational needs, and helped develop some of the infrastructures for reform. Now a stronger framework is needed that will stimulate improvement toward ambitious achievement goals by providing states with more flexibility and tools to meet those goals.

While healthy, legitimate debate continues over the details of ESEA reauthorization, any new law must have three critical tenets at its core. These tenets are provided below, with specific actions that need to be taken:

1. *Create realistic goals and flexible means to reach them*

- Allow states to propose accountability systems to the Department of Education for approval that are designed to meet the same goals and objectives of NCLB, but could include different, more innovative accountability measures and sanctions as well as incentives to achieve the goals.
- Eliminate the “uniform bar” that requires all schools and districts to meet the same goals. Instead, allow states to use a continuous improvement index as a more accurate measure of growth. This will require all schools to meet continuous improvement goals, including schools already scoring above the state average.
- Replace the goal of all students meeting reading and mathematics standards by 2014 with a more realistic goal, which should be based on student achievement growth from established baselines.

2. *Maintain fairness and equity in how educators, students and schools are treated by overhauling the assessment and accountability system requirements*

- Support states in developing and using appropriate assessments for students with cognitive disabilities enrolled in special education programs.
- Substantially modify how students with moderate to severe cognitive disabilities in special education programs are included in the accountability provisions of NCLB.
- Focus federal accountability for English language learners on improved English language proficiency for up to three years. Students could be assessed as appropriate on reading and mathematics during the three years without including scores in the NCLB school improvement calculations.
- Reduce the testing burden by limiting statewide basic skills testing for federal accountability purposes to three key transitional grade levels: fourth, seventh and tenth. Support screening and diagnostic testing for classroom use at the off grades.
- Either eliminate funding for the provision of supplemental education services and “choice” transportation, or provide separate funding for these purposes. This would eliminate the diversion of essential Title I funds from students who need them, and enable schools to focus these funds fully on the academic learning programs that will have the strongest positive impact on struggling students.
- Eliminate provisions that require some students be counted multiple times for his/her school’s success in meeting achievement targets.

3. Offer support and capacity building to reach ambitious achievement goals

- Revise Title I state allotments to reduce the unjustifiable inequities in state Title I funding. Currently, the funds allocated by the federal government on a per-pupil basis vary substantially from state to state. Some states receive less than \$900 per pupil, while other states receive more than \$2,000 per pupil.
- Provide sufficient funding to implement the provisions of the law successfully, including adequate funds for assessment and data systems, professional development, student interventions and other requirements.
- Initiate and fund a program that develops well-trained academic coaches in reading, mathematics and science to work with low-achieving schools.
- Increase the availability of resources for state and regional education agencies to direct and support leadership initiatives, professional development, data analysis, and planning in schools and districts.
- Create a program of recognition and rewards for schools that have made significant improvements and progress.
- Work with states to achieve a world-class educational workforce, and to provide incentives to ensure that highly qualified teachers willingly serve in our most struggling schools.
- Continue to support states' development and expansion of longitudinal data systems.

Conclusion

Washington state has worked diligently to implement “No Child Left Behind,” and remains committed to the goals driving the law. Our state stands ready to partner with our new President, members of Congress and education leaders in other states to develop and implement an updated Elementary and Secondary Education Act that builds on the lessons learned during implementation of “No Child Left Behind.” It is our hope that we can create a model partnership between the federal government and the states that will truly move our schools forward in the critical work of preparing all students to succeed beyond high school.

For further information, please contact the OSPI federal liaison office at (360)725-6035.