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Reauthorizing *No Child Left Behind*

Facts and Recommendations

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with Paul Steinberg



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Executive Summary

In 2001, Congress passed, with bipartisan support, the *No Child Left Behind Act (NCLB)*, a landmark in primary and secondary education. In addition to setting the ambitious goal that all students should be proficient in reading and mathematics by 2014, *NCLB* moved beyond precedent legislation by focusing on judging schools in terms of student outcomes, providing strong accountability with real “teeth” for enforcement, using parental choice (and the marketplace as a whole) as a driver of improvement, measuring performance of subgroups, requiring stronger teacher qualifications, and basing school improvement efforts on research-based practices.

Now, nine years later, this report summarizes objective empirical information on the progress made implementing this legislation and on how state, district, and school administrators; teachers; and parents have responded to it. It is based on two previous studies that were conducted by RAND and its partner organizations for the U.S. Department of Education—the National Longitudinal Study of *No Child Left Behind* (NLS-*NCLB*) and the Study of State Implementation of Accountability and Teacher Quality Under *No Child Left Behind* (SSI-*NCLB*)—and a third study of *NCLB* implementation in three states conducted with funding from the NSF. Data for the first two studies was collected in 2004–2005 and in 2006–2007 and was collected in 2003–2004, 2004–2005, and 2005–2006 for the third study.

Overall, *NCLB* has succeeded in its intent to establish a nationwide school and teacher accountability infrastructure that focuses

on student outcomes and emphasizes improvement of the lowest-performing schools and students. However, the flexibility provided to states by the law has resulted in the establishment of 52 different accountability systems, one for each state, each with different academic standards, levels of student proficiency, and requirements for teachers.¹ At the same time, the narrow focus of the law on two academic areas and the states' reliance on similarly narrow student tests have resulted in unintended outcomes, such as the narrowing of schools' curricula, encouraging teachers to focus on some students at the expense of others, and discouraging the development of higher-thinking and problem-solving skills.

While the number of students taking advantage of the school choice and SES options has increased over time, the participation rates of eligible students for either option remain low. Part of the reason for low participation is administrative, and part of the reason is the preference of parents. Parents often chose not to participate because they were satisfied with their child's school or performance or because of the inconvenience of the options offered to them.

Nine years after the passage of *NCLB*, knowledge about the provisions of the law and communications about the performance status of schools and parental choice options remain uneven. A majority of parents still do not know whether their child's school is in need of improvement or not. Also, they often are notified of their choice options too late to make an informed decision about the transfer of their child to a school not identified for improvement.

As intended, school districts and schools identified for improvement have engaged in a flurry of improvement activities, including the implementation of the interventions and corrective actions mandated by the law; however, states typically have not implemented the most-severe restructuring interventions for the chronically lowest-performing schools. Progress to date in the share of students who are proficient in reading and mathematics suggests that the goal of having 100 percent of the nation's students proficient in reading and mathematics by 2014 will not be met.

¹ Fifty states, the District of Columbia, and Puerto Rico.

Finally, there was a 51 percent increase (in constant dollars) in Title I appropriations between 1997–1998 and 2004–2005, but the overall share of Title I funds going to the highest-poverty districts remained essentially the same.² There was an increase in the share of Title I funds retained for district-managed services (from 9 percent in 1997–1998 to 21 percent in 2004–2005), and there was a decline in the share allocated to individual schools (from 83 percent to 74 percent). Title I added more dollars per low-income student to elementary schools than to middle or high schools. For elementary schools, Title I added a significantly higher amount of personnel resources per low-income student in the lowest-poverty schools than in the highest-poverty schools—\$825 versus \$449, respectively.

Should Congress reauthorize *NCLB*, the authors recommend that it consider making the following changes to the law:

- **Promote more-uniform academic standards.** While the expectation in allowing states to have flexibility in setting standards was that states would set high standards, this expectation has not been met in some states, leading to significant inconsistency across states. This puts students in some states at a disadvantage in preparing for college and careers, and it does not serve the country well in bolstering our economic competitiveness. Greater consistency of academic standards across states could be achieved by setting and requiring nationwide standards. If current voluntary efforts bear fruit, that will signal a significant accomplishment; if not, other options should be considered, including requirements for common standards.
- **Promote more-uniform teacher qualification requirements.** As is true for academic standards, the findings show that states have set highly variable requirements for “highly qualified” teachers. Minimizing these variations across states is desirable for the same reasons as for academic standards.

² Title I was first enacted in 1965 under the *Elementary and Secondary Education Act of 1965 (ESEA)*. It is the largest federal education program, providing more than \$7 billion to meet the needs of at-risk and low-income students.

- **Set more-appropriate improvement targets.** Given the rate of progress in student achievement since *NCLB* was implemented, *NCLB*'s goal that 100 percent of the nation's students should be proficient by 2014 is unattainable and may discourage principals and teachers in their improvement efforts. Alternative accountability approaches that incorporate growth without the current targeting structure should be explored.
- **Broaden the measures of student learning.** The fact that states mostly rely on multiple-choice tests in reading and mathematics to measure student learning discourages the development of higher-thinking and problem-solving skills and also shortchanges subjects other than math and reading. Broadening test measures and holding schools accountable in some way for subjects other than math and reading would be desirable.
- **Provide incentives for teachers to teach in low-performing schools.** Teachers in schools identified for improvement continue to be less likely to be highly qualified than teachers in schools not so identified. Given the critical role that teachers play in student learning, incentives, such as higher salary or lower class load, should be offered to highly qualified teachers to teach in schools identified for improvements.
- **Allow for a more flexible system of interventions.** The current system of interventions for schools identified for improvement is rigid and mechanical. A more flexible and effective system would allow states and districts to identify and prioritize the schools most in need and to design consequences to address their particular needs.
- **Broaden staff development.** Staff development now focuses on academic content and effective instruction, but should be broadened to include approaches to problem solving, the development of interventions geared to the problems identified, and tools and practices for effective implementation of interventions.
- **Enhance school choice.** Few parents have taken advantage of the option offered under *NCLB* to move their child from a school identified for improvement to a school not identified. While there are a number of reasons for this that can be addressed, some reasons

simply reflect a parental decision not to change schools. Policy-makers need to recognize the limited benefits of school choice, at least at this time, and efforts for school improvement should focus on all schools while continuing to offer school choice.

- **Commit more resources to developmental activities.** Schools and districts frequently reported that they did not receive the technical assistance they needed to effectively improve learning of students with disabilities and limited English proficiency (LEP) students. Resources should be committed for experimentation to find better instructional methods and programs, both for students with disabilities and LEP students and for all students.