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# Reauthorizing *No Child Left Behind*

Facts and Recommendations

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Brian M. Stecher, Georges Vernez,  
with Paul Steinberg



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A study by RAND Education

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## Preface

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This report synthesizes findings and draws lessons about the implementation and results of the *No Child Left Behind Act of 2001 (NCLB)* based on data from two previous studies that were conducted under contract to the U.S. Department of Education and from a third study funded by the National Science Foundation (NSF). The first two studies were longitudinal studies that were mandated by Congress: 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)*. The research teams for these two studies from the RAND Corporation, the American Institutes for Research, and the National Opinion Research Center (NORC) collaborated to provide an integrated evaluation of the implementation of key *NCLB* provisions at the state level (*SSI-NCLB*) and at the district and school levels (*NLS-NCLB*). Together, these two studies produced a series of reports on the topics of accountability, teacher quality, Title I school choice and supplemental educational services (SES), and targeting and resource allocation. The third study, supported by NSF and conducted by RAND, examined *NCLB* implementation experiences in three states.

The previous reports from the *NLS-NCLB* and *SSI-NCLB* studies are listed below. Results summarized in this new report were drawn from the final longitudinal reports rather than from the interim reports in the series:

- State and Local Implementation of the *No Child Left Behind Act*, Volume I—Title I School Choice, Supplemental Educational Services, and Student Achievement
- State and Local Implementation of the *No Child Left Behind Act*, Volume II—Teacher Quality Under *NCLB*: Interim Report (See Volume VIII for the final report.)
- State and Local Implementation of the *No Child Left Behind Act*, Volume III—Accountability Under *NCLB*: Interim Report (See Volume IX for the final report.)
- State and Local Implementation of the *No Child Left Behind Act*, Volume IV—Title I School Choice and Supplemental Educational Services: Interim Report (See Volume VII for the final report.)
- State and Local Implementation of the *No Child Left Behind Act*, Volume V—Implementation of the 1 Percent Rule and 2 Percent Interim Policy Options
- State and Local Implementation of the *No Child Left Behind Act*, Volume VI—Targeting and Uses of Federal Education Funds
- State and Local Implementation of the *No Child Left Behind Act*, Volume VII—Title I School Choice and Supplemental Educational Services: Final Report
- State and Local Implementation of the *No Child Left Behind Act*, Volume VIII—Teacher Quality Under *NCLB*: Final Report
- State and Local Implementation of the *No Child Left Behind Act*, Volume IX—Accountability Under *NCLB*: Final Report
- An Exploratory Analysis of Adequate Yearly Progress, Identification for Improvement, and Student Achievement in Two States and Three Cities

The previous reports from the NSF-funded study of *NCLB* implementation in three states were

- Pain and Gain: Implementing *No Child Left Behind* in Three States, 2004–2006
- Standards-Based Accountability Under *No Child Left Behind*: Experiences of Teachers and Administrators in Three States.

This new synthesis report results from the RAND Corporation's Investment in People and Ideas program. Support for this program is provided, in part, by the generosity of RAND's donors and by the fees earned on client-funded research. This report was prepared by RAND Education, a unit of the RAND Corporation. This synthesis should be of interest to federal and state legislators, education administrators, teachers, and all those in the general public who seek to improve the effectiveness of education.

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## Executive Summary

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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.<sup>1</sup> 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.

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<sup>1</sup> 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.<sup>2</sup> 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.

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<sup>2</sup> 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.



## Acknowledgments

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This synthesis of findings and lessons learned from the implementation and results of *NCLB* owes to the contribution of many individuals. At the U.S. Department of Education, Stephanie Stullich and Elizabeth Eisner served as project officers for the two studies that were the primary data sources for this report. Stullich and Eisner provided invaluable substantive guidance and support throughout these studies. Others at the U.S. Department of Education also made valuable contributions, including Andrew Abrams, Erica S. Lee, and Collette Roney.

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The authors of this synthesis are solely responsible for any errors in judgment or fact and for the overarching suggestions made to improve *NCLB*, should it be reauthorized by Congress.



## Abbreviations

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AMAO	annual measurable achievement objective
AMO	annual measurable objective
AYP	adequate yearly progress
CSR	Comprehensive School Reform
ELP	English language proficiency
<i>ESEA</i>	<i>Elementary and Secondary Education Act of 1965</i>
HOUSSE	High, Objective, Uniform State Standard of Evaluation
<i>IASA</i>	<i>Improving America's Schools Act of 1994</i>
LEP	limited English proficiency
NAEP	National Assessment of Educational Progress
<i>NCLB</i>	<i>No Child Left Behind Act of 2001</i>
NLS- <i>NCLB</i>	National Longitudinal Study of <i>No Child Left Behind</i>
NORC	National Opinion Research Center
NSF	National Science Foundation
SES	supplemental educational services
SSI- <i>NCLB</i>	Study of State Implementation of Accountability and Teacher Quality Under <i>No Child Left Behind</i>





## Introduction

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When Congress passed the *No Child Left Behind Act of 2001 (NCLB)*, it established an ambitious goal for the nation's states, districts, and schools: *All children will be proficient in reading and mathematics by the 2013–2014 school year.*<sup>1</sup> How the federal government seeks to achieve this goal is multifaceted, but at its heart is a set of provisions related to performance-based accountability.

While accountability for school performance has been part of previous federal legislation under the 1994 and 1998 reauthorization of the *Elementary and Secondary Education Act of 1965 (ESEA)*, *NCLB* builds on this heritage, altering and expanding its parameters in several significant new ways. It mandates that all states complete the following requirements:

1. Set academic standards for reading, mathematics, and science.
2. Develop and implement an elaborate accountability system to measure performance against these standards.
3. Test all student performance from grade 3 and up in reading, mathematics, and, beginning in the 2007–2008 school year, science.
4. Set “highly qualified” teacher requirements for both elementary and secondary teachers.
5. Provide detailed school and district performance reports to parents and the public, including the separate reporting of student

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<sup>1</sup> Both *NCLB* and the *Improving America's Schools Act of 1994 (IASA)* that preceded it are reauthorizations of *ESEA*.

performance by race and ethnicity and for students with disabilities and students with limited English proficiency (LEP).

6. Provide school choice to parents of students in schools that do not meet increasing proficiency standards.

To encourage compliance, the legislation mixes incentives and sanctions. Along with the incentive of increased federal funding are mandates that specific actions be taken by districts and schools that do not make progress toward meeting the states' set student proficiency standards. The law also gives states considerable flexibility in setting their academic standards, teacher requirements, and student proficiency standards and in implementing other requirements of the law.

Although passage of *NCLB* drew bipartisan support, it remains controversial. Its potential effectiveness in increasing primary and secondary educational performance throughout the nation rests on several key premises:

1. Clear standards and targets for desired outcomes—in this case, high academic achievement for all students and teachers who are highly qualified—will provide both expectations for and indicators of improvement.
2. Identification of districts and schools not meeting their improvement targets will help focus assistance and interventions where they are needed most.
3. Widely available information about performance will enable parents, educators, and other stakeholders to make appropriate decisions about how best to serve their students.
4. Targeted assistance and consequences will stimulate school and district improvement.

To document how the law was being implemented and how stakeholders, state and district education administrators, school principals, teachers, and parents, responded to it, the U.S. Department of Education funded two longitudinal studies—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*)—to provide an integrated evaluation of the implementation of key *NCLB* provisions at the state level (SSI-*NCLB*) and at the district and school levels (NLS-*NCLB*).<sup>2</sup> Longitudinal studies have the advantage of providing more than just a snapshot of how an intervention such as *NCLB* is operating; they can reveal how the efforts fostered by the law are progressing over time. The two studies involved the collaboration of researchers from the RAND Corporation, the American Institutes for Research, and the National Opinion Research Center. Information about teacher and administrator experiences is also drawn from a separate longitudinal study of *NCLB* in California, Georgia, and Pennsylvania conducted by RAND researchers with funding from the National Science Foundation.

Now, nine years since the original legislation, the two studies have produced a series of reports on accountability, teacher quality, parental choice, and targeting and resource allocation, as listed in the Preface. Short abstracts of these reports are included in Appendix B.

## Objective and Limitations of This Report

In anticipation of the reauthorization of *NCLB*, this report takes a broader perspective than the previous series of reports and provides objective, empirical information that policymakers and other stakeholders may want to consider when deliberating about revisions to the law. Such findings can be crucial in informing the debate over reauthorization and in making the reauthorized *NCLB* more effective in the ensuing years. Readers interested in more detailed findings about the topics covered here are referred to the specific volumes.

While our studies provide insights about how the legislation was implemented and the behavior of state and district administrators, school principals, teachers, and parents in response to the law, they do not address whether *NCLB* as a whole, or which specific provision of the law, was effective in increasing student achievement in reading

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<sup>2</sup> A brief description of these studies is included in Appendix A.

and mathematics. Based on our findings, we can make recommendations on ways to improve the implementation of and the behavioral incentives provided by *NCLB*, as we do in the concluding chapter of this report, but we cannot provide an overall judgment of whether the approach taken by this standards-based accountability legislation is superior to some other alternative.

As background for the subsequent chapters summarizing specific findings, the remainder of this chapter briefly overviews the key provisions of the law and outlines the organization of the report.

## **What Are the Key *NCLB* Provisions?**

### **Develop a Standards-Based System of Measures and Targets for Student Achievement**

Before the passage of *NCLB*, *IASA* required states to develop and implement challenging content standards, specifying what students should know and be able to do in reading and mathematics, and to administer assessments aligned with those standards to all Title I students at least once in each of three grade spans: grades 3–5, 6–9, and 10–12. In lieu of or in addition to these requirements, *NCLB*:

- Requires either statewide grade-level content standards or statewide specific grade-level expectations instead of content standards that cover broad grade spans.
- Increases the assessment requirements to include annual testing of all students in each of grades 3 through 8 and one-time testing of all students during high school in reading and mathematics. To meet this requirement, states were required to develop or adopt assessments for the previously untested grades by 2005–2006. State assessments must be aligned with state content standards.
- Requires states to develop or adopt science content standards by 2005–2006 and to implement science assessments in the three grade spans by 2007–2008.

- Adds a requirement that states must develop or adopt standards for English language proficiency (ELP) for LEP students by 2002–2003 and annually assess their progress toward these standards.

*NCLB* also builds on the *IASA* requirement that states set adequate yearly progress (AYP) targets for schools and school districts that would demonstrate “continuous and substantial improvement toward the goal of all Title I students achieving proficient and advanced levels of performance on the assessments aligned with state standards,” modifying and expanding its specifications as follows:

- Mandates a *uniform time frame* for demonstrating that all students progress toward meeting state standards. While initial starting points may vary, AYP targets in every state must reflect the goal of all students performing at proficient levels in reading and mathematics by 2013–2014.
- Requires that AYP be measured relative to an *absolute target* (percentage of students at or above proficiency in reading and mathematics), not growth from a previous level of performance.
- Requires that, to make AYP, schools and districts must meet *student assessment participation requirements* (95 percent tested), and *annual proficiency targets for the district or school as a whole and for every key subgroup* (major racial and ethnic groups, low-income students, students with disabilities, and LEP students).
- Requires that states include an *other academic indicator* in definitions of AYP, in addition to proficiency targets on state assessments.<sup>3</sup>
- Requires that states establish *ELP targets* (called *annual measurable achievement objectives*, or AMAOs) to demonstrate the progress of LEP students in learning English, as well as progress toward meeting the standards in other content areas.

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<sup>3</sup> The state must select one “other academic indicator” to be used for AYP calculations for each level of schooling. For high schools, the other indicator must be graduation rates. For elementary and middle schools, states can choose their own indicator.

Central to this discussion of implementing *NCLB* accountability requirements is that states were given significant flexibility in how to implement their programs relative to the requirements, which is reflected in the findings discussed in Chapter Three.

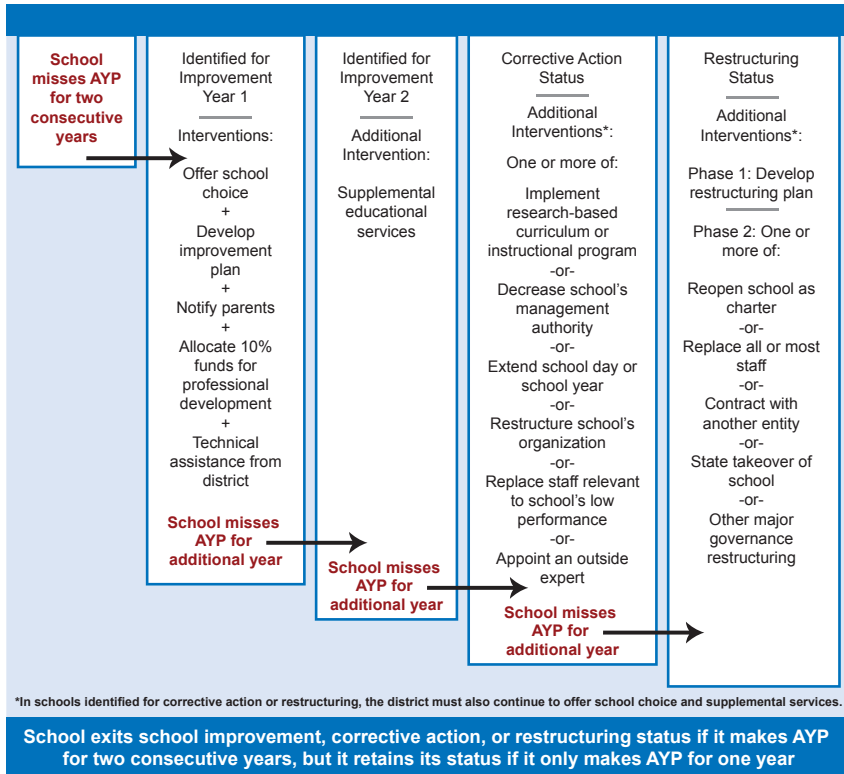
### **Identify Schools and Districts That Need Improvement**

Establishing standards, assessments, and targets is only the first step in performance-based accountability. Equally important is the use of these measures to identify schools and districts that need to improve, which is central to the discussion of findings about performance assessment in Chapter Four. For interventions and assistance to be appropriately targeted, the accountability system must reliably and validly determine which schools are underperforming and which require improvement.

Under *NCLB*, there are four stages of identification: Identified for Improvement Year 1, Identified for Improvement Year 2, Corrective Action, and Restructuring. The criteria and timeline for advancing to a more intensive stage of the improvement process depend on whether the school did not make AYP for an additional year, not on the absolute number of years the school is in a given stage. Figure 1.1 summarizes the four stages and the various interventions involved in the four stages.

The resulting timeline is as follows: After a school does not make AYP for two consecutive years, it is identified for improvement (Year 1). Each time it does not make AYP for an additional year, the school moves into another stage of identification and intervention. Year 2 improvement schools have not made AYP for three (not necessarily consecutive) years. A fourth year of failure to make AYP targets places the school in corrective action status, and the fifth such year places the school into the final restructuring stage. Restructuring occurs in two phases; during the first year schools develop a restructuring plan, which is implemented during the second and subsequent years. The plan must contain one or more major restructurings of school governance. Once a school has been identified for improvement, it can exit by making AYP for two consecutive years.

**Figure 1.1**  
**Stages of Improvement**



RAND MG977-1.1

## Provide Appropriate Assistance and Require Interventions to Stimulate School and District Improvement

Identifying schools and districts for improvement is intended to help ensure that appropriate actions are taken to foster school progress and provide options to students and parents.

*NCLB* specifies the required intervention options for each stage of school identification.<sup>4</sup> For a Title I school in Year 1 or any subsequent year of identification, the district must offer all parents the option of

<sup>4</sup> *NCLB* is more prescriptive and specific than *IASA* in the actions that states and districts must take to ensure school improvement.

transferring their child to another public, nonidentified school. Districts must notify parents of choices before the start of the school year and provide students with transportation to nonidentified schools. For Title I schools beginning in Year 2 of improvement status, districts must also offer students from low-income families the option of receiving supplemental educational services (SES) from a state-approved provider.

For schools in corrective action status, districts must implement at least one of six specified interventions: replacing staff relevant to the failure to make AYP, implementing a new curriculum, decreasing management authority at the site, appointing an outside expert, extending the school day or year, or restructuring the school's internal organization. After not making AYP targets for five years and entering restructuring status, the school must create a plan to restructure its governance. If the school still does not make AYP the next year, the school must enact the planned restructuring by either closing the school and reopening it as a charter school, replacing all or most of the school staff, turning management over to the state or a private agency, or adopting some other major forms of restructuring.

*NCLB* also identifies specific support mechanisms for schools identified for improvement, including technical assistance, school support teams, and distinguished teachers and principals to help in planning and improvement efforts. States are required to provide support to districts identified for improvement, including help in developing an improvement plan and strategies to work more effectively with schools identified for improvement and in addressing potential challenges related to parent involvement or teacher professional development and qualifications. *NCLB* emphasizes the development of state support systems. *NCLB* also requires districts to provide technical assistance to schools, such as in analyzing data from state assessments, identifying proven effective strategies for professional development and instruction, and revising school budgets to allocate resources more effectively. Schools identified for improvement under *NCLB* must spend 10 percent of their allocation of Title I, Part A, funds to provide professional development.



### Set Requirements for Highly Qualified Teachers

In addition to the above requirements, *NCLB* also set requirements for teachers and paraprofessionals.

First, *NCLB* requires that states implement plans under which all teachers of core academic subjects were to be highly qualified by the end of the 2005–2006 school year, later extended to 2006–2007.<sup>5</sup> In general, a highly qualified teacher must have state certification and at least a bachelor's degree and must have demonstrated subject competency in each core academic subject that he or she teaches. Demonstrating competency differs for new teachers and existing teachers and by grade level as follows:

- New elementary teachers must demonstrate competency by passing a rigorous state test in reading, writing, mathematics, and other areas of the basic elementary school curriculum.
- New secondary teachers must pass a state test in each subject they teach, have completed an academic major or course work equivalent or an advanced degree in the subject(s) taught, or have obtained advanced certification.
- Existing secondary teachers must pass a rigorous state test; complete an academic major, a graduate degree, course work equivalent to an undergraduate academic major, or advanced certification; or demonstrate subject matter competency through a High, Objective, Uniform State Standard of Evaluation (HOUSSE) process developed by their state.<sup>6</sup>

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<sup>5</sup> States were invited to submit a revised state plan for accomplishing the goal of 100 percent of teachers being highly qualified by the new deadline. By July 2006, all states had submitted a revised plan, and by July 2007, the teacher quality plans from all 50 states and the District of Columbia had been approved by the U.S. Department of Education.

<sup>6</sup> On May 12, 2006, the U.S. Department of Education formally asked states to phase out HOUSSE. In a policy letter released on September 5, 2006, Secretary Spellings indicated that the U.S. Department of Education will not enforce the HOUSSE phaseout and will seek to address it in *NCLB* reauthorization. However, she encouraged states to continue phasing out the system.

Second, *NCLB* requires that teachers who primarily teach LEP students or students with disabilities must meet these same requirements if they teach core academic subjects to these students. These teachers also must meet additional requirements appropriate to the special needs of their students:

- Teachers who teach in programs for LEP students funded under Title III of *NCLB* must have fluency in English and any other language in which they provide instruction, including written and oral communication skills.<sup>7</sup>
- Teachers who teach students with disabilities must have full state certification as special education teachers, as required by the *Individuals with Disabilities Education Improvement Act*.

### **Provide Useful Information About School Performance and Teachers to Stakeholders**

Finally, a central assumption of performance-based accountability is that when educators, administrators, parents, and other stakeholders have information about the performance of schools and districts, they will be able to make informed decisions about resources and actions that are in the students' best interest. For this assumption to hold, stakeholders must have access to accurate, reliable, and valid information about the requirements and options specified in the law, about student performance, and about resources and practices likely to result in improved student achievement. *NCLB* requires states to produce and distribute school, district, and state "report cards" that include information on AYP, improvement status, and student achievement. The law also adds new accountability indicators, includes non-Title I schools, reinforces the public dissemination of disaggregated achievement data, and requires reporting the percentage of classes taught by highly qualified teachers, classified by high- and low-poverty schools.

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<sup>7</sup> Title III requires states to establish ELP targets, known as AMAOs, to demonstrate the progress of LEP students in learning English, as well as progress toward meeting the standards in other content areas.

*NCLB* also requires that information on student and school performance be made available to schools, districts, and parents in a timely fashion, so that parents may take advantage of the school choice and SES options and so that schools may take appropriate improvement actions by the beginning of the school year.

## **Organization of This Report**

The chapters in the remainder of this report address, in turn, five questions:

- How did states implement the *NCLB* provisions?
- How did districts and schools perform with *NCLB* in place?
- How did education stakeholders respond to improve student performance?
- How did parents respond to the services provided?
- How can *NCLB* be made more effective?



## How Did States Implement the *NCLB* Provisions?

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As noted in Chapter One, states had a great deal of flexibility in how they chose to design and implement their programs to meet *NCLB*'s accountability requirements. Such flexibility included how states set their academic, proficiency, teacher quality, and LEP standards, as well as how they scaled proficiency targets and computed AYP.

How states took advantage of this flexibility in implementing the provisions of *NCLB* is the topic of this chapter.

### How States Implemented Standards

#### Academic Content Standards

Content standards are a fundamental part of *NCLB* (as they were in *IASA*), but, as noted in Chapter One, *NCLB* went one step further than *IASA* by requiring that states establish such standards not just for reading and mathematics but also for science. By 2006–2007, all states, the District of Columbia, and Puerto Rico had developed content standards in reading, mathematics, and science.

All states had received federal approval for the process through which they developed reading and mathematics content standards by 2003. By 2007, all states, the District of Columbia, and Puerto Rico had submitted science content standards for approval by the U.S. Department of Education. States frequently revise their content standards. For instance, in 2006–2007, about one state in five was revising content standards for reading (12 states), mathematics (12 states), or science (13 states).

As of 2005–2006, over 5.1 million LEP students were enrolled in U.S. public schools (excluding those in Puerto Rico)—an increase of 61 percent over 1994–1995. *NCLB* requires states to establish ELP standards distinct from state general content standards in English language arts and to measure progress toward meeting those standards for their LEP student populations. These Title III provisions are parallel to Title I regulations under *NCLB*, with the goal of LEP students attaining both ELP and academic achievement.

By 2006–2007, all states also had their ELP standards in place, and nearly all had finalized their ELP assessments. However, most states were still in the process of revising the proficiency targets that LEP students are expected to meet over time.

### **Academic Achievement Standards**

As discussed in Chapter One, *NCLB* sets the goal of having all students reach proficiency in reading and mathematics by 2013–2014, but it allowed each state to define the level of student performance that is to be labeled “proficient” on its statewide assessments. Under *NCLB*, states are required to establish at least three achievement levels—basic, proficient, and advanced. However, as of 2003–2004, 42 states had opted to designate four or five achievement levels, with the additional levels usually, but not always, being set *below* the basic level. States determined achievement-level cut scores through systematic judgmental processes (the most common of which is “bookmarking” that often involved committees of psychometric experts, teachers, and administrators).<sup>1</sup>

Schools’ AYP determinations are based on each subgroup of students reaching the state-defined proficiency level. Thus, states’ definitions of academic proficiency play a key role in determining how well the state performs under *NCLB*. *Because each state establishes achievement standards relative to its own content standards and assessments, proficiency standards can, and do, vary from state to state.* We stress that such variation does not imply that states are out of compliance with

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<sup>1</sup> During this process, participants review test booklets in which items are arranged from least difficult to most difficult. Committee participants then set “bookmarks” to delineate different levels consistent with the achievement-level descriptors.

*NCLB*, because the law does not attempt to define either state content standards (described above) or academic achievement standards.

When state proficiency standards are measured against the National Assessment of Educational Progress (NAEP)—a benchmark common across the states—researchers (McLaughlin et al., 2007) find that states varied widely in the levels at which they set their proficiency standards in reading and mathematics. For instance, state standards for proficiency in eighth-grade mathematics ranged from an NAEP-equivalent score of 230 to 311, a difference equivalent to more than two years of schooling. Similar variations held for fourth-grade mathematics and in reading at both grade levels. As a result, a student deemed to be proficient for *NCLB* purposes in one state might not be considered proficient in another state; this means that direct cross-state comparisons cannot be made on the basis of proficiency, nor can nationwide estimates of percentages proficient be meaningfully computed.

The bottom line is that students across the nation are being held to widely different standards of skills and knowledge in reading and mathematics.

### **Teacher Standards**

*NCLB* requires states to set standards for all teachers to be considered highly qualified and requires districts to notify parents of students in Title I programs if their child's teacher does not meet these standards. The law reflects research indicating that the quality of a teacher is a powerful predictor of student achievement and that subject-matter knowledge is one critical aspect of a teacher's qualifications. Finally, the law requires that a portion of administrative funds be set aside for teacher professional development.

The requirements apply to all teachers of core academic subjects—English, reading, or language arts; mathematics; science; foreign languages; civics and government; economics; arts; history; and geography—and the requirements also apply to teachers who provide instruction in these subjects to LEP students and students with disabilities. *NCLB* also requires states to set standards for the qualifications of instructional paraprofessionals (teacher aides) employed with

Title I funds, recognizing that paraprofessionals play a substantial role in children's educational experiences.

By 2006–2007, all states, the District of Columbia, and Puerto Rico had set criteria for defining highly qualified teachers and paraprofessionals, and all states had developed tests of teacher content knowledge. But, as was the case for student proficiency standards, *variation in state requirements for highly qualified teachers continues to raise questions about the appropriateness of some states' standards for considering teachers to be highly qualified*. More specifically, the first two *NCLB* requirements for highly qualified teachers—that they have a bachelor's degree and full certification—were incorporated by all states as basic elements of their standards for highly qualified teachers. But the third *NCLB* requirement—that highly qualified teachers demonstrate adequate content knowledge in every subject taught—revealed the greatest variation among states. For new teachers, states differed dramatically in the passing scores for tests used to determine teachers' knowledge. For example, on the Praxis II *Middle School Mathematics* test (which some states used to determine content knowledge), the minimum passing scores ranged from 139 to 163 (out of a maximum score of 200). This range of scores did not change from 2004–2005 to 2006–2007.

By 2007, all 50 states, the District of Columbia, and Puerto Rico had also developed HOUSSE policies allowing incumbent teachers to demonstrate that they met content knowledge requirements. In the majority of states, incumbent teachers received points for years of teaching experience, college course work or professional development hours in their content area, and teaching honors and awards. As with requirements for new teachers, HOUSSE requirements for incumbent teachers varied in stringency. For instance, years of experience count for as much as 50 percent of the HOUSSE requirements in some states but only 20 percent of these requirements in other states.

## How States Implemented Student Assessments

By 2006–2007, all states met the *NCLB* requirements for testing of all students in grades 3–8. To comply with *NCLB* testing requirements to



determine how well students are performing, states have had to conduct substantial test-development efforts. While 14 states were able to use their existing tests to meet *NCLB* requirements, the majority developed or modified reading and mathematics tests specifically for *NCLB*: 15 states indicated that they had developed all-new assessments in reading and mathematics in grades 3–8, and 22 states were able to retain some existing tests or modify existing tests.

Students with disabilities typically participate in proficiency assessments in one of two ways: participation in the general assessment (with or without accommodations) or participation in an alternate assessment. In 2006–2007, all states, the District of Columbia, and Puerto Rico allowed testing accommodations to enable students with disabilities to take the regular state assessments. Also, all states had alternate assessment systems in place by 2005–2006 for these students, but federal peer-review teams found that 38 states had problems associated with their alternate assessments. By 2006–2007, all 50 states, the District of Columbia, and Puerto Rico had alternate assessments in place, although two were missing some of the required grades.

States were also required to have tests for LEP students. Before *NCLB*, few states used assessments that were appropriate for measuring progress in acquiring ELP. Under *NCLB*, there has been progress over time in adopting such tests. In 2004–2005, implementation of ELP assessments was incomplete in over half of the states (27), but nearly all states had implemented ELP assessments by 2006–2007. Almost half of the states developed their ELP assessments in collaboration with a multistate consortium.

States also varied on how the student assessments were designed. Fifteen states administered entirely multiple-choice tests for reading and mathematics in grades 3–8; the remaining 35 states, the District of Columbia, and Puerto Rico used tests with a mix of constructed-response and multiple-choice items.

A related issue is whether states release test items to the public to increase the transparency of their testing systems and the instructional utility of assessments. Since *NCLB*, the number of states that released test items to the public increased from 29 in 2001–2002 to 40 in 2005–2006.

Since *NCLB*, some observers have suggested that students are spending too much time taking tests. Our studies show that the amount of time that students spent taking *NCLB*-required assessments in reading and mathematics averaged between four and six hours annually, depending on the grade level. The variation reflects a lack of consensus among policymakers, test developers, and researchers about the “ideal” test length. The above estimates do not include time spent on “test preparation.” We do not know how much time teachers spend preparing their students for upcoming assessments or whether this represents a productive instructional activity or takes time away from more productive instructional activities.

## How States Implemented AYP Provisions

States are expected to increase the percentage of students who meet proficiency standards over time to eventually reach 100 percent proficiency. To do so, states must set AYP targets—including starting points and annual measurable objectives (AMOs) for percentages proficient in reading and mathematics. As part of this process, states can also adopt methods to avoid misclassifying schools—“safe harbor,” minimum number of students, confidence intervals, and definitions of a full academic year. Here, we summarize what states have done in implementing this critical piece of the accountability system.

### AYP Indicators

*NCLB* requires states to use five indicators to determine AYP:

1. the percentage of students who are proficient in reading, as measured by the state assessment
2. the percentage of students who are proficient in mathematics, as measured by the state assessment
3. the percentage of students who participated in the state reading assessment
4. the percentage of students who participated in the state mathematics assessment

5. at least one other academic indicator at each school level (elementary, middle, and high school).

The indicators must also be measured for all ethnic and other subgroups. At the elementary and middle-school levels, each state selects these indicators, and attendance was the most common other academic indicator (used by 35 states) in 2006–2007; other states chose to use additional achievement measures instead. In high school, graduation rates must be used as the other indicator, but there is a great deal of variation in the ways in which states calculate graduation rates and in the states' capacity to process data on high school completion. Among the 48 states (and the District of Columbia) that established high school graduation targets for 2006–2007, the average target was 77 percent, with targets ranging from 56 to 90 percent.

### **AYP Targets**

Beyond requiring states to define their AYP indicators, *NCLB* also requires states to set annual proficiency targets in reading and mathematics in increments from the percentage of students scoring proficient at the point at which *NCLB* went into effect in 2001–2002 to the ultimate goal of 100 percent in 2014. Schools are held accountable for meeting these targets and must determine whether the progress made at any point is enough to make their long-term objective. Key to this determination is the starting point and the trajectory to get from the starting point to the 100-percent-proficiency goal in each subject by 2014. The law gives states options for picking the starting point, but it must be roughly equivalent to the 20th percentile of performance in the initial year.

The studies show that the starting points used to develop the AYP targets for each subject varied broadly among states in terms of percentage proficient. For example, starting points for elementary reading ranged from 14 to 77 percent of students proficient, while those for elementary mathematics had an even greater range—from 8 to 75 percent of students proficient. For high schools, 29 states and Puerto Rico had starting points between 31 and 50 percent proficient, and 13 states and the District of Columbia started with fewer than 30 percent proficient.

Because all states did not start at the same place, some have much farther to go to realize the goal of 100 percent proficiency.

Variation in AYP starting points—and hence in how much progress a state must demonstrate by 2014—is strongly related to the level at which the states set their academic achievement standards for proficiency. Not surprisingly, states that set higher academic achievement standards tend to have a lower percentage of students scoring at the proficient level; thus, they must make greater progress in student achievement by 2013–2014. States with higher performance standards in mathematics, for example, must realize an average increase of 77 percentage points in the share of students who are proficient by 2013–2014, while states with lower performance standards have to realize an average increase of 43 percentage points.

The speed at which schools must move from their starting points to proficiency for all students depends on the AMOs set by their state. AMOs identify the minimum percentage of students required to meet or exceed the proficient level on the academic assessments in a given year. The first increase was required two years or less after *NCLB* implementation (by 2004–2005), and the subsequent increases must occur at not more than three-year intervals. In 2006–2007, states fell into one of three common types of trajectories:

- linear (9 states), in which roughly equal increments of progress are expected each year
- stair-step (14 states), in which the AMO remains the same for two or three years before increasing
- mixed (27 states), in which AMOs follow a stair-step pattern for a few years and then switch to a linear trajectory.

An important feature of the mixed trajectories established by many states is that, on average, mixed-trajectory states must increase student achievement twice as quickly between 2009 and 2014 than between 2004 and 2009. In contrast, the linear and stair-step states expect fairly consistent increases over the full 12-year period.

### Methods to Avoid Misclassifying Schools

Because even small differences in the rules for calculating each AYP indicator can affect whether schools or districts make AYP, states have given considerable attention to the details of their measurement. States have used their allowed flexibility to define (and amend) their AYP indicators, thus adding to the complexity of AYP calculations. It is important to ensure that AYP calculations are valid (i.e., measure the right things) and reliable (i.e., avoid year-to-year fluctuations not related to changes in student achievement). Differences in a school's scores from year to year should not be the result of random fluctuations in the individual students tested, the specific questions included in the assessment, or the peculiarities of the testing situation. Some of the most common means for avoiding false fluctuations in AYP used by states include setting minimum sizes of students ("minimum *n*") needed to constitute a subgroup for reporting AYP;<sup>2</sup> using confidence intervals and rounding rules; modifying definitions of *full academic year*; and combining AYP-status indicators from two consecutive years. While these methods should reduce the likelihood that high-performing schools or subgroups are mistakenly counted as having not made AYP, the same methods may also increase the likelihood that schools that are truly low performing will be counted as making AYP targets. Generally, these AYP-computation mechanisms have the effect of reducing the numbers of schools and districts that would otherwise be identified for improvement.

### Establishing Title III AMAO Targets

As noted in Chapter One, *NCLB* (Title III) requires states to establish ELP targets (called AMAOs) to demonstrate the progress of LEP students in learning English, as well as progress toward meeting the standards in other content areas. Title III directors in 11 states and the District of Columbia indicated that their states established their AMAOs during the 2002–2003 school year; ten more states set their AMAOs in

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<sup>2</sup> States have set minimum *n* sizes for the purpose of calculating AYP for a given group of students that vary from ten students to more than 50 students. Larger minimum sizes reduce statistical errors.

2003–2004; five more in 2004–2005; seven each in 2005–2006 and 2006–2007; and two were to be implemented in the upcoming 2007–2008 school year. In 2006–2007, 26 states and the District of Columbia were revising their AMAOs, while only 12 had finalized these targets. Thirty-seven states still anticipated amending their AMAOs.

## Conclusions

By 2006–2007, states had made substantive progress toward compliance with *NCLB* accountability and teacher requirements. For the most part, states had established academic standards and proficiency levels for reading and mathematics, were testing students in all required grades, had set AYP targets, and had established requirements for highly qualified teachers, although they were still refining various aspects of these provisions.

In meeting their multiple *NCLB* requirements, states took full advantage of the flexibility provided by the legislation. The overall result is significant variations across states in the rigor of the academic standards established, the proficiency level required of students, the types of tests used, how AYP is measured, and the stringency of the requirements for teacher qualifications. These variations mean that student proficiency and highly qualified teachers are defined differently in every state of the nation.

## How Did Districts and Schools Perform with *NCLB* in Place?

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Establishing standards, assessments, and targets is only the first step in the performance-based accountability that is at the heart of *NCLB*. These accountability tools are used by states (and the districts and schools within them) to determine whether, as the law mandates, they are progressing toward proficiency for all students in reading and mathematics by the 2013–2014 school year. School and district performance is assessed, and schools and districts that need to improve are identified.

In this chapter, we present an overview of the key findings about how districts and schools performed in making or not making AYP, in being identified for improvement in accordance with *NCLB*'s provisions, and in terms of teacher qualifications.

### How Schools Did in Terms of Making AYP

#### **Making or Not Making AYP**

The vast majority (about three-fourths) of the nation's schools and districts made AYP in 2005–2006, nearly identical proportions as in 2003–2004 and 2004–2005. About four-fifths of schools had the same AYP designation from one year to the next. Of the schools that changed designation from one year to the next, about half improved their performance, moving from not making AYP to making AYP, and about half worsened their performance.

Although the national rate of making AYP remained stable during these three years, national rates of making AYP mask significant variability among states. In 2005–2006, the proportion of schools that made AYP ranged from less than 30 percent in two states to 90 percent or more in five states. This variability across states does not necessarily imply great variation in performance; rather, it may reflect the variation in states' implementation of *NCLB* accountability requirements, as discussed in Chapter Two.

Stable national rates of identification also mask the fact that some states' rates of making AYP rose substantially while others' rates fell substantially. In particular, the share of schools that made AYP rose by more than 10 percent in seven states, while, in 15 states, that share dropped by more than 10 percent across the three years. There are a number of reasons for the rise in the seven states, including states applying some of the approaches mentioned in Chapter Two, such as widening the confidence intervals applied to AYP or increasing the minimum *n* for subgroups. As for the drop in the percentage of schools making AYP, in nine of the 15 states, it was likely associated with an increase in their AMOs; in the six other states, decreases were associated with an increase in the number of tested grades and, therefore, with the calculation of AYP for a greater number of student subgroups, a change in proficiency cut scores, or the phasing in of new tests.

### **Which Schools Are More Likely Not to Make AYP**

Among schools, high-poverty, high-minority, and urban schools were less likely to make AYP in 2005–2006, as in the prior two years. Specifically, 57 percent of schools at the highest poverty level made AYP, increasing to 70 percent and, subsequently, 83 percent as the level of poverty decreased. Similarly, 54 percent of schools with high concentrations of minority students made AYP, compared with 84 percent of schools with low concentrations of minority students. Sixty-two percent of schools in central cities made AYP, compared with 76 percent of schools in urban-fringe areas and large towns and 80 percent in rural areas and small towns.

Secondary schools and large schools were also less likely to make AYP, again consistent with the previous two years. Eighty-one percent



of elementary schools made AYP, compared with 59 percent of middle schools and 66 percent of high schools. Smaller secondary schools were much more likely to make AYP than larger schools: 75 percent of middle schools with enrollments of 400 or fewer students made AYP, compared with 48 percent of middle schools with 801 or more students.

We also find that, as in the previous years, schools that were held accountable for greater numbers of subgroups were less likely to make AYP. AYP may be calculated for up to eight student subgroups. States define a minimum subgroup size that must be met before AYP is calculated for a subgroup in a school or district. Schools with larger and more diverse student populations can be expected to account for more subgroups and, therefore, can be expected to be less likely to make AYP. Indeed, among schools for which AYP was calculated for six or more subgroups, 66 percent made AYP, compared with 93 percent of schools for which AYP was calculated for only one subgroup.

### **Why Schools Do Not Make AYP**

The main reason schools did not make AYP was because of the failure of most students in a school, not the failure of a single subgroup. Recall that about three-fourths of schools made AYP in 2005–2006. If we look at the one-fourth that did not, we find that more than half of those schools did not succeed because the school as a whole (i.e., the “all students” group) or multiple student subgroups did not meet achievement standards. This pattern of targets missed by schools that did not make AYP has been stable over the past three years.

A key feature of the *NCLB* accountability system is the disaggregation of achievement test data by subgroups to identify differences in proficiency between subgroups and the school as a whole. About one-fourth of schools in the group that did not make AYP did not do so because of low levels of reading and mathematics proficiency in one subgroup. When schools did not make AYP for a single subgroup, it was usually for the students with disabilities subgroup.

Among schools for which AYP was calculated for subgroups of students, the subgroups most likely to miss AYP targets were students with disabilities, students with LEP, and African-American students.

Finally, another reason schools missed AYP was for missing the other academic indicator. As noted in Chapter One, states commonly selected attendance as the other academic indicator for elementary and middle schools, while high schools were required to use graduation rates. Only 3 percent of elementary schools that did not make AYP missed solely because of the other academic indicator, but 13 percent of the high schools that did not make AYP missed solely because of the graduation rate.

## **Which Districts and Schools Were Identified for Improvement**

Under *NCLB*, states are required to identify for improvement any Title I school that does not meet state-defined AYP targets in the same subject for two consecutive years. Identification is used both to target assistance to schools and districts and for other interventions. Each additional year in which a school does not make AYP triggers increasingly more-extensive interventions, as described in Chapter One.

### **The General Trends for Schools and Districts Identified for Improvement**

After a large increase from 2003–2004 to 2004–2005, the percentage of Title I schools identified for improvement increased more gradually from 2005–2006 to 2006–2007. The percentage of Title I schools identified for improvement increased from 18 percent in 2005–2006 to 20 percent in 2006–2007, compared with an increase from 12 percent to 18 percent between 2003–2004 and 2004–2005. The number of Title I schools identified for improvement for 2006–2007 (10,781) was about 1,500 greater than the number of identified schools for 2004–2005. Overall, 9.0 million students (about 20 percent of students in the nation) attended identified schools in 2006–2007, up from 7.3 million in 2004–2005.

Almost half (46 percent) of Title I schools that were identified for improvement for 2006–2007 were in the more advanced stages of identification status—corrective action and restructuring—up from

33 percent in 2005–2006 and 23 percent in 2004–2005. In particular, the number of Title I schools in corrective action more than doubled, from 1,223 in 2005–2006 to 2,663 in 2006–2007, while the number in restructuring status rose from 1,683 to 2,270.<sup>1</sup> Nearly three-fourths of the identified schools in 2004–2005 remained in improvement status two years later in 2006–2007, and nearly half were in corrective action or restructuring.

While schools can move into more advanced stages of identification, they can also exit from improvement status if they make AYP for two consecutive years. The proportion of identified Title I schools annually exiting from improvement status has declined from 23 percent in 2004–2005 to 17 percent in 2005–2006 to 12 percent in 2006–2007.

Among districts identified for improvement, 13 percent of Title I districts (1,728) were identified for improvement for 2006–2007; these districts enrolled 40 percent (about 18 million) of the nation's students. The number of districts identified for improvement for 2006–2007 was similar to the previous year, but the number of districts identified for corrective action increased five-fold.

### **Where Schools Identified for Improvement Are Concentrated**

The majority of identified Title I schools were concentrated in just over one percent of the nation's Title I districts. *Specifically, over half (53 percent) of all Title I schools identified for improvement were located in the 177 districts that each had ten or more identified schools in 2006–2007.* Furthermore, about one-fifth of all Title I identified schools were located in just 15 school districts. About two-fifths of the Title I schools in restructuring status were located in these 15 districts, which are among the largest districts in the nation. Four-fifths of districts contained no identified schools, and most of the rest contained only one or two identified schools.

The same types of schools that were most likely not to make AYP (as discussed earlier) were also most likely to be identified for improvement: high-poverty schools, high-minority schools, middle schools,

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<sup>1</sup> The data do not allow us to distinguish schools in restructuring that are planning for restructuring from those that are implementing restructuring.

and large urban schools. Thirty-seven percent of the high-poverty schools were identified for improvement, compared with 4 percent of low-poverty schools. Similarly, 25 percent of urban schools were identified for improvement, compared with 12 percent of suburban schools and 9 percent of rural schools.

### **Reasons Schools Were Identified for Improvement**

The same types of schools that were most likely not to make AYP (as discussed earlier) were also most likely to be identified for improvement: high-poverty schools, high-minority schools, middle schools, and large urban schools. *Schools in corrective action and restructuring were most likely to have missed AYP for the achievement of “all students” or for two or more subgroups than other schools.* Specifically, 78 percent of such schools in 2006–2007 did not make AYP for the “all students” group or for two or more subgroups. In comparison, 57 percent of schools that were identified for improvement for the first year did not make AYP for the “all students” group or for two or more subgroups.

### **Are the Nation’s Teachers Highly Qualified?**

As noted in Chapters One and Two, *NCLB* requires states to set standards for all teachers to be considered highly qualified and for districts to notify parents of students in Title I programs if their child’s teacher does not meet these standards.

Most teachers reported that they met their states’ requirements to be considered highly qualified under *NCLB*, but state policies concerning highly qualified teachers varied greatly. This variation, which was noted in the findings in Chapter Two on teacher standards, is reflected both in the passing scores that new teachers must meet to demonstrate content knowledge on assessments and in how much credit state HOUSSE policies give existing teachers for years of prior teaching experience.

The percentage of teachers who are not highly qualified under *NCLB* is higher for special education teachers and middle-school teachers. In 2006–2007, 72 percent of special education teachers reported

that they were highly qualified, compared with 84 percent of general-education teachers. As in 2004–2005, the qualification status of special education teachers in 2006–2007 varied by school level: Special education teachers in elementary schools were more likely to report that they were highly qualified (83 percent) than special-education teachers in high schools (56 percent). The latter were less likely to report being highly qualified because they must meet both the special education certification requirement and the *NCLB* subject-matter competency in the academic courses they teach. In 2006–2007, middle-school teachers as a whole were also more than twice as likely to report that they were not considered highly qualified under *NCLB*, as were elementary teachers. These teachers often teach multiple subjects and are required to demonstrate subject-matter competency in all the academic areas that they teach.

Also, in 2006–2007, teachers who were not highly qualified were somewhat unevenly distributed across different types of schools. The percentage of these teachers was higher in high-poverty than low-poverty schools (5 percent versus 1 percent) and higher in high-minority than low-minority schools (4 percent versus 1 percent). Teachers in schools that were identified for improvement, corrective action, or restructuring were also more likely to report they were not highly qualified than teachers in schools not identified for improvement.

Finally, since the earliest years of Title I, teacher's aides—or paraprofessionals—have played a role in supporting the instructional activities of classroom teachers. In 2004–2005, paraprofessionals made up about one-third of Title I–funded district and school staff. About two-thirds of these instructional paraprofessionals were considered qualified under *NCLB*, but nearly a third (28 percent) did not know their status or did not provide a response to the study questions. Moreover, 38 states reported that 80 percent or more of their paraprofessionals were qualified under *NCLB* in 2006–2007.

## Conclusions

Reflecting, in part, variations in how states implemented *NCLB* requirements, the proportion of schools making AYP and identified for improvement varies significantly across states from as low as 1 percent in one state to as high as 72 percent in another state. Overall, about 20 percent of the nation's schools were identified for improvement, with the share of those in the last stages of identification, corrective action and restructuring, increasing over time. The majority of these schools are concentrated in high-minority, high-poverty, and large urban schools; and the majority of these schools are in need of improvement because of the low achievement of most of their students.

By 2006–2007, most teachers reported they were highly qualified, and variations across states in the proportion of highly qualified teachers were relatively small, ranging between 85 percent and 99 percent. However, a lower proportion of special education and middle-school teachers than other teachers reported that they were highly qualified.

## How Did Education Stakeholders Respond to Improve Student Performance?

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As noted in Chapter Two, once assessments are performed, states, districts, schools, and teachers must take steps to improve and work toward achieving the overarching goal: *All children will be proficient in reading and mathematics by the 2013–2014 school year*. In this chapter, we examine how federal and state funds were allocated to support school and district improvements. We also examine the state and district technical assistance provided to schools and the actions taken by districts and schools to improve student performance and teacher qualifications. Finally, we examine how information about the status of schools is provided to all sets of stakeholders.

### How Federal Funds Were Allocated and Used by Districts and Schools

Achieving the goals of *NCLB* depends critically on how federal funds are distributed and used. Since *ESEA* was enacted in 1965, various federal programs have been created to support educational improvement and target additional resources to meet the educational needs of children who are economically and educationally disadvantaged. Using 2004–2005 data from the NLS-*NCLB* sample of districts, we examined how states actually targeted and used funds received from six federal education programs—Title I, Part A; Reading First; Comprehensive School Reform (CSR); Title II, Part A; Title III, Part A;

and Perkins Vocational Education State Grants—and how they combined these funds with their own funds to target high-need districts and schools. The six federal programs provided \$18.4 billion to support elementary and secondary education in 2004–2005.

### **Where Federal Funding Went**

Federal education funds were more strongly targeted to the highest-poverty districts than were state and local funds but did not close the funding gap between high- and low-poverty districts. Districts in the highest-poverty quartile, which serve 25 percent of the nation's school-age children and about half (49 percent) of the nation's poor school-age children, received 38 percent of all federal funds and 21 percent of state and local funds. For the six federal programs, the districts in the highest-poverty quartile received between 43 percent and 73 percent of the funds. By contrast, the lowest-poverty districts, with 7 percent of the nation's poor students, received 12 percent of all federal funds and 30 percent of state and local funds. Total revenue per student from all sources in the highest-poverty districts (\$10,025) was 8 percent lower than for districts in the lowest-poverty quartile (\$10,836).

Taking a historical perspective, at the district level the overall share of Title I funds going to the highest-poverty districts changed only marginally between 1997–1998 and 2004–2005 (from 50 percent to 52 percent). The highest-poverty districts received a substantial increase in their average Title I allocation per poor child, after adjusting for inflation (from \$1,044 to \$1,579), which reflects the overall growth in Title I appropriations during this period (a 51-percent increase in constant dollars). At the same time, 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, as a result, a decline in the share allocated to individual schools (from 83 percent to 74 percent).

We also found that, at the school level, Title I funding per low-income student in the highest-poverty schools remained virtually unchanged from 1997–1998 to 2004–2005, when adjusted for inflation. In addition, the highest-poverty schools received smaller Title I allocations per low-income student than did the lowest-poverty



schools—\$558 versus \$763, respectively. While the amount of Title I funds received by the highest-poverty schools increased, the growth in Title I funds basically kept pace with the growth in the number of low-income students served in these schools.

Overall, we find that school-personnel expenditures from Title I amounted to \$408 per low-income student, adding 12 percent on top of the state and local per-student expenditures on school personnel. 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.

### **How Federal Funds Were Used**

Federal program funds were used mainly for instruction. Among the six federal programs, the share of funds that districts and schools used for instructional purposes (teacher salaries and instructional materials) ranged from 51 percent to 75 percent. Most of the remaining funds were used for instructional support and student support (e.g., professional development, parent involvement), ranging from 18 percent (Title I) to 40 percent (CSR), while between 4 percent and 10 percent of the funds for each program were used for administration and other support.

Among the six federal programs, Title I provided the most funds used for professional development (\$1.0 billion), followed by Title II (\$518 million). However, these figures may underestimate spending on professional development because district accounting systems may not always clearly identify such expenditures. For instance, certain personnel categories, such as mentor teachers and literacy coaches whose primary function is to provide teacher professional development, may be recorded under instructional staff instead of professional development.

## What Stakeholders Did to Improve School Performance

Funding provided at the federal level goes to a range of stakeholders—states, districts, schools within districts, and principals and teachers within schools—to be used in a variety of ways, with the goal of improving student performance. In this section, we focus on the key findings about the technical assistance stakeholders needed and received and the actions various stakeholders have taken to improve instruction and boost student achievement.

### State and District Technical Assistance to Schools

By 2006–2007, all states had established systems of technical support for school improvement, with most providing some level of support to all identified schools and others targeting support to a subset of identified schools. Support teams were the most common mechanism for delivering support to schools identified for improvement in 2006–2007, used in 42 states, the District of Columbia, and Puerto Rico.

We also found that, in 2006–2007, 40 states had tiered systems of support for schools, in which the intensity and focus of support increased as schools progressed from identified for improvement to corrective and then restructuring status. In 2004–2005, only 18 states had tiered systems of support. All states focused assistance on diagnostic aspects of the school improvement process: data analysis and developing a school improvement plan. Additionally, 22 states, the District of Columbia, and Puerto Rico provided sustained support through the implementation of improvement strategies. In addition to states, the majority of districts also provided technical assistance in many of the same areas to both identified and nonidentified schools.

Overall, schools reported receiving the assistance they needed in most areas and that the assistance they received met their needs. At least two-thirds of schools identified for improvement with needs for technical assistance in 11 of 13 areas received it, and 70 percent or more of identified schools that received assistance in these areas reported that

it met their needs.<sup>1</sup> The most frequently needed and received technical assistance was for professional development; identifying effective curricula, instructional strategies, or school reform strategies; analyzing assessment results to understand students' strengths and weaknesses; and developing or revising school improvement plans. On average, identified schools received eight days of assistance compared with four days for nonidentified schools.

But the technical assistance was often not sufficient to meet schools' needs related to students with disabilities, LEP students, getting parents more engaged in their child's education, and analyzing and revising school budgets to allocate resources more effectively. For instance, about half of surveyed identified schools reported that they needed technical assistance to meet the needs of LEP students in 2005–2006 or 2006–2007; but about one-fourth of these schools did not receive such assistance, and about one-fourth of those that did receive it were not satisfied that the assistance they received was sufficient to meet their needs.<sup>2</sup> Similarly, of the identified schools needing assistance for LEP students, about half did not have their needs met.

### **School Improvement Activities**

Improving curriculum and instruction was a major focus of school improvement in both identified and nonidentified schools, and almost all teachers had access to materials to align curriculum with standards. More than half of teachers reported that they had access to model lessons and guides that were cross-referenced to state standards and assessments.

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<sup>1</sup> These areas included assistance to develop the school's improvement plan; analyze assessment results; improve students' test-taking skills; develop curriculum guides, pacing sequences, and model lessons; identify curricula, instructional strategies, or reform models that have been shown to be effective in increasing students' achievement; address the instructional needs of students with individualized education programs or LEP students; get parents more engaged in their child's education; address problems of student truancy, discipline, and dropouts; improve the quality of teacher professional development; recruit and retain teachers; implement the provisions of *NCLB*; and analyze and revise school budgets to allocate resources more effectively.

<sup>2</sup> This technical assistance may have been provided either through Title I funds or in conjunction with technical assistance for Titles I and II.

Almost three-fourths of schools offered extended-time instructional programs outside of the school day, which served a small but increasing percentage of students. Identified schools were more likely to offer extended-time programs than nonidentified schools. In addition, some schools reorganized the school day to change the amount of instructional time for specific subjects. On average, third-grade students spent about 20 minutes more in reading and about 10 minutes more in mathematics during the school day in 2006–2007 than in 2004–2005, although time devoted to other subjects was virtually unchanged. At the secondary level, about one-half of schools reported increasing instructional time in reading and mathematics for low-achieving students from 2004–2005 to 2006–2007.

Increasing the use of student assessment results was another common focus of schools' improvement efforts. Nearly all schools had access to resources to help them analyze assessment results to understand students' strengths and weaknesses and use test results for instructional planning. Almost all teachers reported using state test results to improve student learning, and about two-thirds of schools reported using periodic progress assessments as well.

### **Implementing *NCLB*-Required Interventions for Schools**

States and districts must ensure that schools identified for improvement enact the required interventions under *NCLB* as they move from Year 1 of improvement to Year 2 of improvement and then to corrective action and restructuring (the stages discussed in Chapter One).

**Schools in Years 1 and 2 of Improvement.** Required interventions occurred in the vast majority of Title I schools in Year 1 or Year 2 of identification, but not all. In fact, 97 percent of all identified Title I schools (regardless of improvement stage) reported that they notified parents of the school's improvement status, and 89 percent developed a joint improvement plan with the district or state.

In Year 1 of improvement, 71 percent of Title I schools reported that their districts had offered parents the option of transferring their child to a nonidentified school, and that percentage rose in subsequent years of improvement status. However, this means that students in close to 30 percent of Title I identified schools were not given the opportu-

nity by their districts to transfer to a school that was not so identified. One reason for this is that more than a third of districts reported that they had no schools available for transfer. This was because all schools with the required grades were identified for improvement; there was a lack of space in nonidentified schools; or there was only one school in the district with the required grades, and that school was identified for improvement.

In 92 percent of Title I schools in Year 2 of improvement in 2006–2007, students were offered SES by their district—an increase in access to supplemental services over prior years. Specifically, students in 58 percent of schools in Year 2 of improvement were offered supplemental services in 2002–2003, and 90 percent of such schools reported offering SES in 2004–2005. SES were also offered to students from low-income families in almost all Title I schools in corrective-action and restructuring status.

**Schools in Corrective Action.** Eighty-eight percent of Title I schools in corrective action status for 2006–2007 experienced at least one of the *NCLB*-defined interventions—the most common involving implementing a new research-based curriculum and the appointment of outside advisors. Two-thirds of schools in corrective action implemented a new curriculum, and one-fourth had an outside expert or advisor assigned to them. Also, many of the interventions that *NCLB* requires for schools in corrective action status were also implemented in schools in earlier stages of identification for improvement. For example, 60 percent of schools in Year 2 of improvement were required to implement new research-based curricula or instructional programs.

**Schools in Restructuring.** The most severe stage of intervention is restructuring, which is implemented in two phases: Title I schools that reach this improvement level spend the first year planning for restructuring (Restructuring 1) and the subsequent years implementing their restructuring plan (Restructuring 2). Forty-four percent of Title I schools in restructuring status in 2006–2007 were in Restructuring 1, and 56 percent were in Restructuring 2. Few of the Title I schools in Restructuring 2 experienced any of the specific interventions listed in the law, including replacing all or most of the school staff (17 percent), state takeover of the school (3 percent), reopening of the school as a

public charter school (1 percent), or contracting with a private entity to manage the school (1 percent).<sup>3</sup>

### **What Stakeholders Did to Improve District Performance**

*NCLB* also contains a number of provisions to encourage districts to increase the achievement of students, improvement efforts that complement those in schools.

Although schools have received most of the attention under *NCLB* to date, growing attention has been paid to districts since 2004–2005. The attention reflects both the fact that districts themselves may be identified for improvement or corrective action under *NCLB*—in 2006–2007, 13 percent of Title I districts (1,728 districts) were so identified, with 40 percent of the nation’s students located in these districts—and the fact that districts play an important role in helping their schools improve. Efforts to improve the performance of school districts include specific systems of support targeted at districts, technical assistance to districts, voluntary district-improvement initiatives, and required corrective actions for districts that continue to perform inadequately.

**State Technical Assistance.** As of 2006–2007, 47 states had systems of technical support for districts. In 35 states, state staff provided support to districts; in ten states, regional or county offices provided support to districts. In 2006–2007, most states continued to provide a broad range of technical assistance to all districts. Compared with 2004–2005, more states reported providing assistance to districts to improve parent-involvement activities and to address the needs of LEP students.

As was the case for schools, three-fourths of districts reported receiving the technical assistance they needed in most areas and that the assistance they received met their needs. And as for schools, the technical assistance was not always sufficient to meet district needs relating to LEP students and students with disabilities; in addition, technical assistance did not meet district needs for professional devel-

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<sup>3</sup> The NLS-*NCLB* principal survey did not include an option for “any other major restructuring of the school’s governance,” which is a restructuring option provided in the law.

opment for schools that did not make AYP and for recruiting and retaining more teachers who are highly qualified under *NCLB*. For example, 32 percent of districts reported that they needed technical assistance to help them meet the needs of LEP students. Of these, 67 percent received such assistance, but only 40 percent of the recipients reported that the assistance was sufficient to meet their needs—that is, about three-fourths of the districts that reported needing assistance for LEP students did not have this need met. Similarly, 51 percent of districts reported needing technical assistance to help them meet the needs of students with disabilities; 73 percent received such assistance, and 77 percent of the recipients reported that it met their needs, which means that about one-half of districts that needed this kind of assistance did not have this need met.

We also found variation by district in terms of the technical assistance needed and provided. Districts with high rates of poverty were more likely than districts with low or medium rates of poverty to need technical assistance to improve students' test-taking skills; to get parents more engaged in their child's education; and to address problems of student truancy, tardiness, discipline, and dropout. They were also more likely to receive such technical assistance when needed. Medium and large districts were more likely than small districts to need technical assistance to improve students' test-taking skills; to address the instructional needs of students with individualized education programs; and to address problems of student truancy, tardiness, discipline, and dropout. All districts were equally likely to receive such assistance when needed.

**District Improvement Efforts.** Almost all districts identified for improvement were engaged in improvement efforts. More than 80 percent of districts developed a district improvement plan, increased monitoring of instruction and student performance at school sites, offered or required specific professional development for teachers, and allocated 10 percent of their Title I allocation for this purpose. Also, the share of districts that used an outside consultant to advise them increased from 11 percent in 2004–2005 to 36 percent in 2006–2007.

Like schools, districts are identified for corrective action under *NCLB* if they continue to miss their AYP targets after they are iden-

tified for improvement; however, unlike with schools, there are no restructuring requirements for districts. In 2006–2007, more states (26 states) reported having districts in corrective action status than in 2004–2005 (7 states). As a result, states have become more active in prescribing corrective actions. As with schools, the corrective action most frequently reported by state officials was implementation of a new curriculum based on state standards.

More than one-half of districts in corrective action reported receiving none of the mandated interventions. Of the districts that did receive interventions, three corrective actions were most commonly imposed in 2006–2007: About one-third of districts reported that the state deferred programmatic funds (or reduced administrative funds), while over 20 percent reported being required to authorize students to transfer to higher-performing schools in neighboring districts or being required to implement a new curriculum based on state standards.

## **Enhancing Teacher Qualifications**

As shown in Chapter Two, there was large variation in the standards set by states for highly qualified teachers, which raised questions about whether some states have set sufficiently high standards. Chapter Three showed that most teachers reported meeting their state standards, but again noted the significant variability. *NCLB* allows states and districts to use Title II, Part A, funds to implement strategies to improve teacher qualifications. Districts, which receive nearly 95 percent of these federal funds, can use the money to provide recruitment and retention incentives for highly qualified teachers, support for teachers who are not considered highly qualified, and professional development to all teachers.

### **Recruiting Highly Qualified Teachers**

About half of districts continued to report facing challenges in recruiting highly qualified teachers in special education, mathematics, and science in 2006–2007. In 2006–2007, 44 percent of districts reported a shortage of qualified applicants in mathematics, down from 58 per-



cent in 2004–2005. The percentage of districts reporting a shortage of qualified applicants in reading or language arts dropped by half (from 28 to 14 percent). The proportion of districts reporting shortages in science, special education, and English as a second language applicants continued to be substantial and comparable with 2004–2005 levels.

The reasons for shortages are many; between one-third and one-half of districts reported in 2006–2007 that they faced workforce challenges to hiring and retaining highly qualified teachers because of inadequate teacher salaries (45 percent), competition with other districts (45 percent), and large numbers of retiring highly qualified teachers (34 percent).

To meet these challenges, states and districts relied on a number of strategies. All states, the District of Columbia, and Puerto Rico reported developing programs to enhance their supply of highly qualified teachers, such as providing alternate routes to highly qualified teacher certification. States also developed communications and outreach strategies, such as job banks (43 states), and used financial incentives (49 states).

At the district level, there was an increase from 2004–2005 to 2006–2007 in the use of human-resource data systems (21 percent to 41 percent), targeting efforts to hard-to-staff subject areas (35 percent to 48 percent), and streamlining hiring processes (34 percent to 51 percent) to recruit highly qualified teachers.

### **Retaining Highly Qualified Teachers**

Beyond seeking to recruit highly qualified teachers, states and districts also sought to retain the highly qualified teachers they had and to improve their less-qualified teachers. In 2003–2004 and 2006–2007, states' and districts' most commonly reported retention-building activities were mentoring and instructional coaching. Both of these activities, also part of a strategy to improve teacher preparation, were used in 47 states in 2006–2007. Districts were more likely to report providing sustained mentoring programs (79 percent) and instructional coaching (64 percent) to retain highly qualified teachers in 2006–2007 than in 2004–2005 (70 percent and 51 percent, respectively). Other strategies

included collegial planning time, financial incentives, career ladders, and improving working conditions.

### **Improving the Quality of Existing Teachers**

**Professional Development.** Under *NCLB*, professional development that is sustained, intensive, and content focused is a key strategy for improving teachers' knowledge and skills. The law requires Title I districts to spend at least 5 percent of their Title I, Part A, allocation for this purpose, and Title I schools identified for improvement must spend at least 10 percent of their Title I funds on professional development or other strategies that directly support teachers.

The majority of teachers reported that they participated in content-focused professional development in reading or mathematics, with more focus on instructional strategies than on in-depth study of the subjects. However, only a relatively small proportion of teachers reported taking part in content-focused professional development for a sustained period of time. For example, only 20 percent of elementary teachers participated for more than 24 hours in professional development on instructional strategies in reading during the past year, and only 8 percent received more than 24 hours of professional development on instructional strategies in mathematics. This pattern was true for both elementary and secondary school teachers in both subjects. Overall, teachers with few years of experience reported receiving more hours of staff development (117 hours) during the past year than more experienced teachers (98 hours).

According to research, professional-development activities that engage teachers in the learning process by having them apply knowledge to real-world classroom tasks—referred to here as “active learning”—are more likely to facilitate instructional change on the part of teachers (Desimone et al., 2002). But fewer than half of teachers reported that they participated in professional development that often involved active-learning opportunities. Professional development involving active learning was more common for teachers in identified schools, high-poverty schools, and high-minority schools.

There is also concern about the coherence of professional development—how much teachers perceive that their professional

development activities are a part of a logical, aligned, and sequenced program of teacher learning. Most teachers reported that their professional development activities were often consistent with standards, assessments, and improvement plans, but fewer than one in five teachers reported that their activities often built on what they had learned in earlier professional development experiences.

**Targeted Assistance to Teachers Not Highly Qualified.** Some districts and schools also provided targeted support to teachers who were not highly qualified to meet state criteria for highly qualified teachers. Overall, a minority of districts reported providing targeted assistance for teachers who were not considered highly qualified; however, high-poverty, medium-minority, and large districts were more likely to offer such support in 2006–2007. The main strategies used to target teachers who were not highly qualified included providing professional development, mentoring, coaching, or incentives to improve qualifications. Few districts transferred teachers who were not highly qualified to other schools or dismissed these teachers.

## Teacher and Principal Responses to Implementing *NCLB* Provisions

We were also interested in how school staff perceive *NCLB*'s effects. To get at that issue, RAND researchers conducted a study looking at teacher and administrator experiences in three states: California, Georgia, and Pennsylvania.

Teachers in the three states reported that *NCLB* yielded both desirable and undesirable changes at the classroom level. While teachers felt that efforts to align instruction with standards and efforts to improve their own practices had some beneficial effects—such as an increased focus on student achievement in their schools, increased curriculum coordination, and increased rigor of the school's curriculum—they also noted less-desirable changes, including a narrowing of curriculum and instruction toward tested topics and even toward certain problem styles or formats. Teachers also reported focusing more on students near the proficient cut score (i.e., “bubble kids”) and expressed

concerns about negative effects on the learning opportunities given to high-achieving students.

Teachers in the three states were less supportive of specific features or effects of their state accountability systems than were administrators. For example, most administrators, but fewer teachers, thought state test scores accurately reflected student achievement. Also, administrators were more likely than teachers to report that accountability pressures led to improvement in curriculum and student learning. Many teachers believed that there were substantial mismatches between state standards and tests and their curriculum. Teachers were particularly attuned to lack of consistency between state accountability requirements and local resources and programs.

Both teachers and administrators in the three states perceived hindrances that stand in the way of school improvement. Most administrators thought that inadequate funding was hampering their school-improvement efforts, and many said that they did not have adequate numbers of highly qualified teachers in mathematics or science. Administrators and teachers alike saw insufficient instructional time and insufficient planning time as barriers. In addition, teachers reported that students' lack of basic skills, inadequate support from parents, and students' absenteeism and tardiness hampered their efforts. One of the underlying principles of *NCLB* is that educators are expected to promote high levels of achievement despite these conditions, but our findings suggest that large numbers of educators consider this expectation unrealistic.

## **How Information About *NCLB* Performance Assessments Was Provided to All Stakeholders**

Providing information is key to ensuring stakeholders' responses to assessment. More specifically, to help schools and districts reach *NCLB* accountability goals, clear and accurate information about performance must be communicated in a timely manner to all key stakeholders, including district and school personnel, parents, policymakers, and

the public. In accordance with *NCLB* requirements, states must collect and disseminate disaggregated test-score data once each year.

### **Timing of Reports on State Assessment Tests**

States reported student- and school-performance results from 2005–2006 more quickly than they did in 2003–2004. Specifically, 44 states, the District of Columbia, and Puerto Rico delivered preliminary notification to schools identified for improvement before September 2006, an increase from 31 states in 2003–2004. Also, states have made progress since 2004–2005 in developing student data systems to measure the progress of individual students. In 2006–2007, 41 states had data systems with student identifiers and the ability to evaluate test scores in multiple years, up from 32 states in 2005–2006 and 16 states in 2004–2005.

### **Content of State Report Cards**

Since 2003–2004, states have continued to enhance their reporting capabilities to align their practices with *NCLB* requirements. Fifty states, the District of Columbia, and Puerto Rico reported on student performance in mathematics and English language arts for all students, economically disadvantaged students, students with disabilities, white or non-Hispanic students, and Hispanic students; and 48 states and the District of Columbia reported on the percentage of LEP students achieving at the proficient level. Several other indicators were commonly featured in state report cards. For instance, *NCLB* requires state report cards to include data on district AYP performance, an element that 46 states, the District of Columbia, and Puerto Rico provided in 2005–2006, compared with 31 states and Puerto Rico in 2003–2004.

However, disaggregated graduation rates and teacher quality data remained absent from many state report cards. In 2005–2006, 37 states, the District of Columbia, and Puerto Rico provided information on the percentage of core academic-area classes that were taught by highly qualified teachers, an increase from 18 states in 2003–2004. Comparisons of student achievement to AYP targets were offered by 29 states and the District of Columbia in 2005–2006, compared with 16 states in 2003–2004. Fewer states did not offer data on disaggregated

graduation rates, with 25 states, the District of Columbia, and Puerto Rico not providing graduation rates by subgroups.

Beyond ensuring that report cards report on what they are supposed to, it is also important that what is reported is understandable and accessible. While 2005–2006 state and school report cards proved easier to find online and to understand than those from 2003–2004, district reports remained challenging to locate online.

### **Effectiveness of Communications with Stakeholders**

Finally, for *NCLB* accountability to have its desired effect, principals and teachers must be aware of their school's status and progress. We find that principals were more aware of their school's status in 2006–2007 than in 2004–2005 but that there were still issues with teacher awareness. In 2006–2007, nearly all principals knew whether their schools made AYP (90 percent) or were identified for improvement (94 percent). Teachers, although more alert to their schools' accountability status in 2006–2007 than in 2004–2005, remained less knowledgeable than principals about their school's status. Between 63 percent and 73 percent of teachers correctly reported their schools' AYP status in 2005–2006, compared with 90 percent of principals.

Among school stakeholders, parents were the least informed about the performance status of their children's schools. In 2006–2007, only 19 percent of parents of children in schools identified for improvement in eight large urban districts knew their child's school was so identified, 68 percent were unsure, and 13 percent thought their child's school was not on the list of low-performing schools.

### **Conclusions**

States allocated the *NCLB* and other federal primary and secondary education funds more heavily to high-poverty districts than the states allocated their own funds. This targeting of federal funds narrowed the difference in per-student revenues between high- and low-poverty districts, but it was not sufficient to close this gap fully.

States and districts generally provided the technical assistance the schools said they needed to improve student performance, with the exception of assistance to address the instructional needs of students with disabilities and students with LEP and to get parents more engaged in their child's education. To improve student performance, most schools reported making adjustments to their curriculum, including aligning it to their state standards and improving their methods of instruction. Most also offered extended-time instructional programs and used the results of student assessments to help focus school improvements.

In addition, districts and schools in the first years of identified for improvement status or in corrective action generally implemented the *NCLB*-required interventions, although the more drastic interventions required for schools in restructuring were rarely implemented.

The majority of teachers reported that they participated in some form of professional development in reading and mathematics, although fewer teachers reported receiving the content-focused and active learning types of professional development that are more likely to lead to instructional changes on the part of teachers.

In spite of these efforts, and as noted in the previous chapter, the proportion of schools identified for improvement that exited this status remains low and has declined over time. Teachers and administrators in three states indicated that inadequate funding, insufficient numbers of qualified mathematics teachers, and insufficient instructional time hampered their efforts at improvement.





## How Did Parents Respond to the Services Provided?

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As noted in Chapter One, a key *NCLB* aim is to provide new educational options to parents whose children attend Title I schools that are not making adequate progress toward meeting state standards for all students. The first of these options is the opportunity for parents to transfer their child to another school in the district that has not been identified for improvement (i.e., public school choice). The second option is the opportunity for parents to enroll their child in SES—such as tutoring, remediation, or other academic instruction—offered by a state-approved provider and in addition to instruction provided during the school day. This option is available to low-income families whose children attend a Title I school that is in Year 2 (or a later year) of improvement.

In this chapter, we discuss the status of such options and how parents responded to them.

### Public School Choice and SES Options

#### Availability of Options

Although most districts that were required to offer Title I public school choice did so at the elementary level, fewer districts did so at the middle-school level (41 percent) and at the high-school level (22 percent). Availability of school choice options remained stable between 2004–2005 and 2006–2007. About half of the districts that did not

offer school choice at the middle-school and high-school levels did not offer it because all of their schools at the relevant grade levels were identified for improvement (which is not unusual in small districts with only a few schools). Public school choice was also constrained at the middle- and high-school levels because large numbers of school districts have only one middle school and one high school.

By contrast, the number of options for SES has grown over time—with the number of providers increasing from 1,024 in May 2003 to 3,234 in May 2007 and remaining roughly at this level (3,050 in 2008)—and private SES providers accounting for 88 percent of all state-approved providers in May 2008, up from 60 percent in May 2003. Ten percent of providers were school districts and public schools, a decrease from 32 percent in 2003. However, providers continued to be far less likely to offer services to high-school students than to elementary and middle-school students. In 2006–2007, as in 2004–2005, most districts that were required to offer Title I SES reported offering these services to eligible elementary and middle-school students; about one-third of districts did so for eligible high-school students.

As the number of Title I SES providers increased from 2004–2005 to 2006–2007, their size and staff characteristics also changed, with the average size in a subsample of 16 districts more than doubling between 2004–2005 and 2006–2007 from an average of 36 staff members to an average of 79 staff members per provider. At the same time, the experience levels of their staff members decreased. The average tutoring experience of staff members at SES providers declined from ten years in 2004–2005 to seven years in 2006–2007. Providers also became less likely to rely on full-time teachers tutoring after school in their own district.

### **Growth in Number of Eligible Students**

The number of students eligible for public school choice and SES has grown dramatically from 2002–2003 to 2006–2007. In 2006–2007, 6.9 million students were eligible for Title I public school choice (about 14 percent of all students enrolled in public schools), a four-fold increase since 2002–2003; and more than 3.3 million were eligible for Title I SES (more than 6 percent of all public school students),

a nearly six-fold increase since 2002–2003. Also, in 2005–2006, as in 2004–2005, high-poverty, high-minority, and urban Title I schools were more likely to have students who were eligible for Title I public school choice and SES than low-poverty schools outside of urban areas. Specifically, for school choice, it was 40 percent of high-poverty Title I schools compared with 6 percent of low-poverty Title I schools; for SES, it was 29 percent versus 3 percent. Schools in urban districts likewise made up a disproportionate share of those required to offer Title I public school choice and SES.

### **Student Participation Rate**

While the number of students eligible for the parental options has increased significantly, participation rates have remained constant over time, with most eligible students not participating. Participation rates, however, are different by option: 1 percent for the Title I public school choice option and 17 percent for SES. Although the 17 percent participation rate in SES is the same from 2003–2004 to 2005–2006, the number of students participating actually doubled because the number eligible increased by a factor of two.

Total spending by districts on Title I SES and public school choice has increased from 2003–2004 to 2005–2006, reflecting the increase in number of participating students. Spending on Title I SES increased to \$375 million in 2005–2006 from \$192 million in 2003–2004, while expenditures for transportation of students who transferred under Title I public school choice increased from \$24 million in 2003–2004 to \$56 million in 2005–2006. Average per-pupil expenditures for Title I SES remained constant between 2003–2004 and 2005–2006 at about \$838, but total expenditures nearly doubled between these two years because of the above-noted increase in participants.

### **Communication with Parents About Options**

District communication with parents about Title I public school choice and SES continued to be an issue in 2006–2007. Although almost all the districts offering Title I public school choice and SES reported that

they notified parents of the options available to their children, many parents of eligible students continued to report that they were not aware of these options. Specifically, in 2006–2007, 95 percent of the districts required to offer Title I public school choice reported that they notified parents of the options available to their children, an increase from 64 percent in 2004–2005. All districts required to offer SES also reported that they had notified parents of this option in 2006–2007, as nearly all did in 2004–2005. However, in eight large urban districts subsampled for additional study, only 20 percent of parents of elementary students who were eligible for public school choice indicated that they had been notified of the availability of the option to move their child to another school in 2006–2007, the same percentage as in 2004–2005. About 60 percent of parents reported that they were notified about the availability of SES.

Beyond the issue of whether parents were notified at all is the issue of the timing of notification. Many states continued to release school identification status data too late to permit districts to notify parents before the start of the school year. More specifically, 29 states released information on schools identified for improvement in August 2006 or after—a decrease, however, from 45 states that did so in August 2004 or after. Timing of notification makes a difference: Eligible students of parents who were notified of their school choice option before the beginning of the school year were twice as likely to transfer to another school as students of parents who were notified after the beginning of the school year.

Parents who reported that they had been notified (most frequently by written notification) also reported that the information they received was understandable but incomplete. About 90 percent reported that the information they received about their choices was somewhat easy to very easy to understand, but the majority of parents indicated that the information received did not contain basic information, such as how to apply to move their child, whom to contact with questions, or availability of transportation.

## Reasons for Participating in School Choice and SES

When parents were notified of their eligibility for school choice, most of them (90 percent) choose not to participate in 2006–2007. Nearly two-thirds of parents who chose not to have their child participate in school choice indicated that their choice was based on satisfaction with quality of teaching at their child’s school and the convenience of their child’s school location. Beyond these two main reasons, 45 percent of parents reported that their child wanted to stay, 42 percent that their child was getting good grades at the current school, and 42 percent that they did not want to disrupt their child.

Similarly, nearly 50 percent of parents of eligible students chose not to participate in SES. The reasons parents most frequently cited were their child not needing help (46 percent) and the inconvenient time and location of tutoring services (35 percent).

## Implementing and Monitoring SES

*NCLB* gives states and districts different responsibilities in implementing SES. States must develop, apply, and publicly report objective criteria for approving SES providers. Once providers are operating, states are expected to monitor them and evaluate their performance. Districts are responsible for contracting with the providers for services and paying for services.

Most states had developed monitoring and evaluation systems for SES providers. Specifically, by 2006–2007, 42 states, the District of Columbia, and Puerto Rico had developed systems for monitoring and evaluating the effectiveness of Title I SES providers. Also, by 2006–2007, more than half the states had begun to conduct evaluations of the effectiveness of Title I SES providers. However, we also found that only eight states had databases containing student achievement and participation information that would permit rigorous evaluations of achievement effects of SES providers on a statewide basis.

In 2006–2007, nearly all providers reported that they communicated with their students’ regular classroom teachers at least a few times

a year. But in 2006–2007, as in 2004–2005, a majority of Title I SES providers received little or no information on the students they served before beginning SES.

Finally, from the schools' perspective, 40 percent of principals of schools with students eligible for Title I SES reported in 2006–2007 that these services were well aligned with their school's academic content standards, an increase from 24 percent of principals in 2003–2004.

## Conclusions

Few among the several millions of students eligible to receive SES actually received them, and even fewer of those eligible to transfer to a school not identified for improvement did so. This low participation in parental choice is, in part, explained by untimely notification of parents that their child was eligible, insufficient information provided in the notification, and the fact that some districts were not able to offer one or the other of these options for some students. Also, many parents reported not being notified, even though their districts had actually sent notices.

Parents' preferences also contributed to the low participation rates in parental choice. Even after being notified, parents chose not to participate either because they were satisfied with their child's school or performance or because of the inconvenience of the options offered to them.

## How Can *NCLB* Be Made More Effective?

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*NCLB* continued the federal government's traditional focus on seeking to increase the achievement of the nation's students who are most in need. In its means, however, it moved beyond previous legislation to include a stronger focus on judging schools in terms of student outcomes, creating strong accountability requirements (i.e., putting some real "teeth" in enforcing its provisions), using parental choice (and the marketplace as a whole) as drivers of improvement, paying attention to subgroup performance in measuring performance gains, requiring higher teacher qualification requirements, and basing school-improvement efforts on practices that had been shown to be effective through scientific testing.

*NCLB* has generally succeeded in its intent to establish a nationwide student- and teacher-accountability infrastructure that focuses on outcomes and in placing a focus on the lowest-performing schools and students. With one major exception, stakeholders have generally responded to the incentives and mandates provided by the law by engaging in a broad array of activities designed to improve student achievement and increase teacher qualifications. Parents have not responded in great numbers to the school choice option or even to the opportunity to have their children receive supplemental educational services.

At the same time, implementation of *NCLB* has brought to the fore a number of important issues, some of which are unique to *NCLB* and some of which reflect long-standing concerns. The flexibility provided by the law has created a fragmented accountability infrastructure, with each of the 50 states, the District of Columbia, and

Puerto Rico having set different expectations for both their students and teachers. Does the term *proficient* for a student or *highly qualified* for a teacher retain any meaning if it has 52 different interpretations across the nation? Also, some features of the law and its implementation seem to have resulted in unintended behaviors, such as narrowing of school curricula (Hamilton, 2003), encouraging teachers to focus on some students at the expense of others (Booher-Jennings, 2005), and discouraging the development of higher-thinking and problem-solving skills (Resnick and Resnick, 1992).

Communication with parents about the system of accountability and about the options they have under the new law continue to be problematic nearly nine years after the passage of *NCLB*. A majority of parents still do not know whether their child's school is in need of improvement. Finally, while *NCLB* has generated a flurry of district- and school-improvement activities, it remains to be seen whether it will significantly improve student achievement; schools identified for improvement are unlikely to leave that status, despite the interventions that occur. One thing is certain: Progress made to date suggests that the goal of having 100 percent of the nation's students proficient in reading and mathematics by 2014 is unattainable.

In the following discussion, we offer a series of suggestions derived from these studies and others to address these issues.

## **Promote More-Uniform Academic Standards**

In passing *NCLB*, Congress allowed states to have flexibility in setting their own academic standards describing the knowledge and skills students need to acquire, with the expectation that states would set high standards. We found that some states did, but many states did not. Varying academic standards are problematic in a nation with a highly mobile population because they set different expectations for students and teachers in different parts of the country. Lower standards and lower levels of proficiency in some states may not adequately prepare students for college and careers, both in relation to students in other states and in relation to students in other countries with which



we compete economically. Greater consistency of academic standards and proficiency levels across states are worthwhile goals that could be achieved by promoting nationwide standards. A voluntary approach to consistent national standards may be more palatable to many stakeholders, and current efforts in this direction should be supported. However, if some states do not voluntarily adopt appropriate, common standards, then common standards should be made a requirement. Yet another approach would be to set a minimal floor for high nationwide standards. States would then have the option to set standards that were above this minimal level.

### **Promote More-Uniform Teacher Qualification Requirements**

As in the case of student academic standards, the findings show that states have set highly variable requirements for highly qualified teachers. Minimizing the variations across states in teacher standards is desirable for the same reasons noted above for minimizing variations across states in student standards. Voluntary efforts to set common teacher standards may be possible in light of current efforts to set voluntary standards for students, but, if they are not achieved, then stronger requirements may be necessary.

### **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 year 2014 appears to be unattainable, and maintaining it may discourage principals and teachers in their improvement efforts. Achievement targets defined in terms of the percentage of students who are proficient in a particular year also create perverse incentives, encouraging teachers to focus on students near the proficiency cutoff points (so-called "bubble students") at the expense of others (Booher-Jennings, 2005). Instead, schools and teachers should be held account-

able for the learning *growth* of all students (Goldschmidt and Choi, 2007; Braun, Chudowsky, and Koenig, 2010). Currently, nine states have received permission from the U.S. Department of Education to incorporate measures of growth in their accountability system. However, while these approaches nominally focus on student gains, they still maintain the current unrealistic target of full proficiency by 2014. Alternative accountability approaches that incorporate growth without the current targeting structure should be explored.

## **Broaden the Measures of Student Learning**

Currently, states rely primarily on multiple-choice tests of reading and mathematics to measure student learning and judge school performance.<sup>1</sup> Unfortunately, this reliance on multiple-choice testing has the consequence of not encouraging the development of higher-thinking and problem-solving skills that are deemed essential for economic viability (Resnick and Resnick, 1992). Also, the emphasis on reading and mathematics has led schools to shortchange other academic subjects (Hamilton, 2003). To address these teaching and learning-incentive issues, assessments should be broadened to incorporate writing samples and other open-ended answer formats, including written responses to math questions (Pellegrino, Chudowsky, and Glaser, 2001; Achieve, 2008). In addition, schools should be held accountable for student achievement in other fields, such as history, social studies, and science, and schools should be asked to report on student participation in music, art, health, and physical education. Broadening the outcomes that count for school accountability signals that schools need to prepare students for a variety of college and career options (Achieve, 2008). It is not necessary to test all students in all subjects to accomplish this; indicators can be developed on the basis of other methods, including matrix sampled assessments and monitoring course enrollments.

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<sup>1</sup> Multiple-choice tests are used to a large extent because they are less expensive to design and administer and are easier to score and report than constructed-response assessments.

## **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 improvement. Changes in recruitment and retention strategies should also be considered to accomplish this goal (Goldhaber and Hannaway, 2010).

## **Allow for a More Flexible System of Interventions**

The rigid and mechanical rules governing the timing and type of interventions applied to schools identified for improvement has led schools and districts to select the least severe and easiest interventions to implement. It may also have led them to narrow the range of improvement strategies they consider. 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. A two-stage process might work better than the current set of automatic interventions, discussed in Chapter One and summarized in Figure 1.1. In the first stage, states would use a test-based metric to identify schools that were potentially having problems. In the second stage, states would gather additional information from these schools about local deficiencies so that they could craft interventions that responded to these shortcomings. A number of states and districts use independent “inspectorates” to conduct field reviews of schools to provide more complete and thorough information about local practices and improvement options. This approach might be expanded further.

## Broaden Staff Development

Improvement and major restructuring in schools will not take place at a large scale until the capacity of school leaders and teachers throughout the nation is increased to identify learning problems, link these problems to effective solutions, and implement them effectively. In addition to focusing on academic content and effective instruction, staff development should be broadened to incorporate a problem-solving perspective, i.e., the identification of teaching and learning problems, the development of interventions geared to the problems identified, and tools and practices for effective implementation of interventions.

## Enhance School Choice

As noted in the findings, few parents have taken advantage of the option offered under *NCLB* to move their child from an identified school to a school not identified. The reasons for this include that parents were not aware of their child's school status, were not notified in time to make an informed decision, did not receive a notification, were unaware they had been notified, or received notifications that did not provide appropriate information on how to proceed. These issues can be addressed in several ways. More timely notifications could be achieved by basing eligibility for school choice on test results from the previous year, thereby giving parents adequate time to make an informed decision. Alternatively, the order in which the parental options are offered could be reversed, with the SES option offered in the first year of identification for improvement and the school choice option offered in the second year of identification for improvement. Providing parents adequate time prior to the start of the school year to make a decision is not as critical for SES because these services are typically offered later in the school year.

In order to increase the probability that parents pay attention to the parental-option notifications, schools, in addition to districts, could be required to inform parents of their parental options, as some schools already do voluntarily. And, to make sure that the district and school

notifications contain all of the necessary information, states could be required to develop a standardized letter for districts to use in notifying parents about their options. States could consult with parent advocate groups in helping to draft these notifications. Federal and state officials could also consider further ways to educate parents about their children's schools.

However, many factors besides school performance influence parents' decisions, as noted in the findings. These factors include school location, after-school activities, and student preferences to remain in the same schools with friends. Thus, policymakers 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**

As the findings make clear, both schools and districts frequently reported that they did not receive the technical assistance they needed to effectively improve learning of students with disabilities and LEP students. Also, effective educational improvement requires more than just measurement of performance and incentives—it also requires effective curriculum and instruction and the capacity to effect change within districts and schools. Resources should be committed for experimentation to find better instructional methods and programs, both for students with disabilities and LEP students as well as for all students; such experimentation might also focus on identifying better strategies for allocating the resources provided by the federal government.



## Data Sources for This Report

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The findings in this report are based on the following data sources.

The *SSI-NCLB* examined state implementation of *NCLB* in the areas of accountability and teacher quality by analyzing school performance data and state documents (including Web sites and consolidated applications and reports) and by conducting telephone interviews with state officials responsible for implementing *NCLB*'s accountability, teacher quality, Title III, and the school choice and SES requirements. Administrators in all 50 states, Puerto Rico, and the District of Columbia were interviewed during the fall and winter of 2004–2005 and again in 2006–2007.

A national database of the AYP and improvement statuses of all public schools in the country was created from data provided by state education officials. The resulting National AYP and Identification database contains over 89,000 schools (including both Title I and non–Title I schools) in 50 states, the District of Columbia, and Puerto Rico. The database contains AYP results from 2003–2004, 2004–2005, and 2005–2006 and identification for improvement statuses for 2004–2005, 2005–2006, and 2006–2007.

The *NLS-NCLB* assessed the implementation of *NCLB* provisions in districts and schools by analyzing survey data collected from a nationally representative sample of 300 districts and about 1,500 elementary, middle, and high schools from those districts. In each school, six general education teachers were randomly selected to receive surveys: one teacher in each of grades 1–6 at the elementary-school level, and three English teachers and three mathematics teachers at the sec-

ondary-school level. In addition, 400 parents were surveyed in each of eight large urban districts, and 150 SES providers were surveyed in a subsample of 16 districts.

Beyond the two longitudinal studies discussed above (the SSI-*NCLB* and the NLS-*NCLB*), RAND researchers also worked on a separate *NCLB*-related project—Implementing Standards-Based Accountability—which consisted of a set of three parallel, longitudinal, state-specific studies of *NCLB* in California, Georgia, and Pennsylvania. Researchers collected survey responses from 2003–2004 to 2005–2006 in a nested sample that included 92 districts, 301 schools, and 3,605 teachers. They also conducted annual two-day site visits to six schools in each state. Results from that study are also included in this synthesis report, as appropriate.



## Abstracts of Reports

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*The reports listed below are available by searching [www.rand.org/pubs](http://www.rand.org/pubs) and at [www.ed.gov/about/offices/list/opepd/ppss/reports.html#title](http://www.ed.gov/about/offices/list/opepd/ppss/reports.html#title)*

**State and Local Implementation of the *No Child Left Behind Act*, Volume I—Title I School Choice, Supplemental Educational Services, and Student Achievement** (2007) examines the impact of participation in Title I school choice and SES on student achievement, as well as the characteristics of participating students. The quasi-experimental analysis used student-level participation and state assessment data from nine large urban districts for 2000–2001 through 2004–2005.

Key findings include the following:

- On average, across seven districts that could be included in the achievement effects analysis, participation in SES had a statistically significant, positive effect on students' achievement in reading and math. Students participating for multiple years experienced larger gains.
- In contrast, across six districts, no statistically significant effect on achievement, positive or negative, was found for students participating in Title I school choice, but sample sizes for school choice were much smaller than were those for SES.
- Across the nine districts, SES participants had lower prior achievement than eligible students who did not participate, while Title I school choice participants had similar prior achievement levels to eligible nonparticipants.

**State and Local Implementation of the *No Child Left Behind Act*, Volume V—Implementation of the 1 Percent Rule and 2 Percent Interim Policy Options** (2009) presents findings about the implementation of regulations and guidelines issued under the *No Child Left Behind Act* that provide flexibility for the treatment of certain students with disabilities in state assessment and accountability systems. These findings are from the Study of State Implementation of Accountability and Teacher Quality Under *NCLB*, based on surveys of state officials in 2004–2005 and 2006–2007 and analysis of extant data about state implementation of *NCLB* assessment and accountability requirements.

Key findings include the following:

- Most states with accurate data reported that less than 10 percent of tested students with disabilities participated in an alternate assessment based on alternate achievement standards.
- Twenty-two states granted exceptions to districts to exceed the 1-percent cap on the inclusion of proficient and advanced scores from alternate assessments based on alternate achievement standards for AYP calculations for 2005–2006 testing, and 21 states used the 2-percent proxy option for AYP calculations.
- Data from a subset of states suggested that the effects of using the 2-percent proxy varied greatly by state. For example, in one state, use of the 2-percent proxy did not enable any schools to make AYP, whereas, in another state, 159 schools made AYP in 2005–2006 through the 2-percent proxy.

**State and Local Implementation of the *No Child Left Behind Act*, Volume VI—Targeting and Uses of Federal Education Funds** (2009) examines how well federal funds are targeted to districts and schools serving economically disadvantaged students, how Title I targeting has changed over the past seven years, how districts have spent federal funds, and the base of state and local resources to which federal funds are added. The report covers six federal programs: Title I, Part A; Reading First; CSR; Title II, Part A; Title III, Part A; and Perkins Vocational Education State Grants. The report uses data on federal program allocations from all states, as well as data from a nationally

representative sample of 300 school districts on federal program allocations and expenditure data for the 2004–2005 school year.

Key findings include the following:

- Federal education funds were more strongly targeted to high-poverty districts than were state and local funds. However, the higher level of federal funding in high-poverty districts was not sufficient to close the funding gap between high- and low-poverty districts.
- The overall share of Title I funds going to the highest-poverty districts and schools changed little between 1997–1998 and 2004–2005, and the highest-poverty schools continued to receive smaller Title I allocations per low-income student than did the lowest-poverty schools.
- Schools that were identified for improvement were more likely to receive Title I funds than nonidentified schools, but they received smaller allocations per low-income pupil.
- Most funds for the six federal programs in this study were used for instruction and instructional support.

**State and Local Implementation of the *No Child Left Behind Act*, Volume VII—Title I School Choice and Supplemental Educational Services: Final Report** (2009) provides updated information on the implementation and usage of school choice options that are offered to students in Title I schools that have been identified for improvement. The report is based on the second round of data collection from the National Longitudinal Study of *NCLB* and the Study of State Implementation of Accountability and Teacher Quality Under *NCLB*. The report presents findings from interviews with state education officials in all states and surveys of nationally representative samples of districts, principals, and teachers conducted in 2004–2005 and 2006–2007, as well as surveys of parents in eight large urban school districts in those same years.

Key findings include the following:

- Numbers of students eligible for and participating in school choice and SES have increased substantially, although participation rates remained stable at about 1 percent and 17 percent, respectively.
- Nearly all districts required to offer these options reported that they notified parents, and the timeliness of parent notifications has improved. However, eligible parents who were surveyed in the eight districts were often unaware of the school choice options, even though all eight districts provided evidence that they had sent notification letters to parents about the options.
- Among parents surveyed who took advantage of the Title I school choice options, over 80 percent said they were satisfied.

*Also see State and Local Implementation of the No Child Left Behind Act, Volume IV—Title I School Choice and Supplemental Educational Services: Interim Report (2008).*

**State and Local Implementation of the No Child Left Behind Act, Volume VIII—Teacher Quality Under NCLB: Final Report (2009)** provides updated information on the progress that states, districts, and schools have made in implementing *NCLB*'s teacher quality, professional development, and paraprofessional provisions. The report is based on the second round of data collection from the National Longitudinal Study of NCLB and the Study of State Implementation of Accountability and Teacher Quality Under *NCLB*. The report presents findings from interviews with state education officials in all states and surveys of nationally representative samples of districts, principals, and teachers conducted in 2004–2005 and 2006–2007.

Key findings include the following:

- By 2006–2007, the vast majority of teachers met their states' requirements to be considered highly qualified under *NCLB*. However, state requirements for the demonstration of content-knowledge expertise varied greatly.
- Teachers in high-poverty and high-minority schools were more likely to report that they were not highly qualified.

- Moreover, even among teachers who were considered highly qualified, teachers in high-poverty schools had less experience and were less likely to have a degree in the subject they taught.
- Although nearly all teachers reported taking part in content-focused professional development related to teaching reading or mathematics during the 2005–2006 school year and summer, a relatively small proportion participated in such learning opportunities for an extended period of time.

*Also see **State and Local Implementation of the No Child Left Behind Act, Volume II—Teacher Quality Under NCLB: Interim Report (2007)**.*

**State and Local Implementation of the No Child Left Behind Act, Volume XI—Accountability Under NCLB: Final Report (2009)** provides updated information on the progress that states, districts, and schools have made implementing the academic standards, student-proficiency standards, student assessments, AYP targets, and other key accountability *NCLB* provisions and how stakeholders have responded to these measures. The report is based on the second round of data collection from the National Longitudinal Study of *NCLB* and the Study of State Implementation of Accountability and Teacher Quality Under *NCLB*. The report presents findings from interviews with state education officials in all states and surveys of nationally representative samples of districts, principals, and teachers conducted in 2004–2005 and 2006–2007.

Key findings include the following:

- By 2006–2007, all states had established academic standards and proficiency levels for reading and mathematics, were testing students in all required grades, and had set AYP targets.
- The proportion of schools making AYP and those identified for improvement vary greatly across states, in part reflecting variations in how states have set their academic and student proficiency standards.

- Districts and schools identified for improvement have generally implemented the *NCLB*-required interventions, although states rarely implemented any of the more drastic interventions in schools in restructuring.
- The proportion of schools that exited identified for improvement status remains low and has declined over time.

*Also see State and Local Implementation of the No Child Left Behind Act, Volume III—Accountability Under NCLB: Interim Report (2007).*

**An Exploratory Analysis of Adequate Yearly Progress, Identification for Improvement, and Student Achievement in Two States and Three Cities** (2009) presents the results of exploratory quasi-experimental analyses that use a regression discontinuity design to examine the relationships between certain features of *NCLB* accountability and subsequent student achievement in Title I schools in two states and three school districts. Specifically, the report examines the effects of not making AYP or of being identified for the first year of school improvement status (after missing AYP for two consecutive years).

Key findings include the following:

- The study found some positive achievement impacts for schools that missed AYP, but not for schools that were identified for the first year of school improvement; effects were not consistent across years and outcomes.
- Findings from two states and three cities cannot be generalized to produce a national estimate of program effects on student achievement.
- In addition, the report discusses several study limitations, including technical features of the regression discontinuity method requiring that the analysis focus on schools that had missed AYP or had been identified for improvement for the first time, which may be relatively weak interventions relative to the full set of progressively more intensive interventions prescribed under Title I.

**Pain and Gain: Implementing *No Child Left Behind* in Three States, 2004–2006** (2008) examines the strategies that three states, their districts, and their schools used to implement standards-based accountability under *NCLB* and how these strategies are associated with classroom practices and student achievement in mathematics and science. It is based on data collected in California, Georgia, and Pennsylvania from 2003–2004 though 2005–2006.

Key findings include the following:

- Educators at all levels of the system in all three states sought to ensure alignment among the standards, assessments, curriculum, and instruction, and they had generally but not uniformly positive reactions to the reforms in their state. For example, in 2006, 40 percent to 60 percent of math teachers (the range reflects differences among states and between elementary and middle schools) reported that test results provide a good measure of student mastery, with 60 percent to 80 percent of math teachers also reporting that the information they obtain from student tests is useful for identifying and correcting gaps in curriculum and instruction.
- Yet, while more than 80 percent of teachers found the standards useful for planning lessons, a majority also felt that the standards included more content than could be adequately covered in a school year.
- Many teachers were concerned that the system was not serving all students equally well.
- On the whole, educators are becoming more positive about accountability policies.
- Growing numbers of elementary teachers have reported that their teaching improved as a result of accountability, although there were no changes over time in specific reported teaching practices.
- Educators remain concerned about the effects of accountability on teacher morale, but these concerns have decreased over time.

*Also see Standards-Based Accountability Under No Child Left Behind: Experiences of Teachers and Administrators in Three States* (2007).





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