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ABSTRACT

The No Child Left Behind Act of 2001 (NCLB) was created to address the unsatisfactory learning outcomes of U.S. students, especially minority and poor students who continue to perform at significantly lower levels than their peers. The NCLB requires states, districts, and high schools to take steps to ensure that all students meet high academic standards. NCLB's requirements for high schools fall into four categories: teacher quality, testing, graduation and graduation rates, and adequate yearly progress. Given the limited amount of federal dollars currently available, school districts seeking to implement NCLB must choose between helping the 6 million at-risk students now in middle and high school and likely to be left behind, or "front-ending" NCLB and other federal dollars at the elementary school level. Most districts are investing the money at the elementary level. There are research-based models available that show how to aid middle and high school students most at risk for failure. These models address the problems of low literacy rates among high school students, poorly prepared teachers and principals in high-needs schools, the absence of coordinated support services for students, and large impersonal learning environments found in most high schools. Appendices include a summary of high school provisions in state accountability plans, state statistics on secondary schools, and additional sources of information about NCLB. (Contains 15 references.) (SM)

Left Out And Left Behind:

NCLB and the American High School

ALLIANCE FOR EXCELLENT EDUCATION

Left Out And Left Behind: NCLB and the American High School

April 2003

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On January 8, 2002, President Bush signed the No Child Left Behind Act of 2001 (NCLB). Cited as one of the federal government's most aggressive attempts to improve elementary and secondary education, NCLB holds schools accountable for the achievement of all students. According to the U.S. Department of Education (U.S. Department of Education, 2003):

> This new law represents [President Bush's] education reform plan and contains the most sweeping changes to the Elementary and Secondary Education Act (ESEA) since it was enacted in 1965. It changes the federal government's role in kindergarten-through-grade-12 education by asking America's schools to describe their success in terms of what each student accomplishes.

Although the law covers grades kindergarten through 12, most attention has been placed on the impact of NCLB on K–8 schools and, in particular, the testing requirements for grades three through eight. This focus, however, has given the mistaken impression that NCLB has little or no impact on high schools. While high schools do face fewer NCLB requirements than elementary and middle schools, they still must comply with several provisions of the new law. In fact, approximately 800 high schools have already been identified by their states as "in need of improvement." Many of these schools are failing to graduate a majority of their students. If these schools are receiving NCLB Title I funds, they will confront the same sanctions elementary schools face in terms of school choice, supplemental services, and, eventually, restructuring.

While states across the country are cutting education budgets,[1] educators are attempting to turn these schools around and implement the law's provisions with inadequate fiscal support from the federal government. The current level of overall federal funding for NCLB is $6 billion short of , the amount that was authorized and agreed to when the bill was signed into law. For high schools, the problem is even worse; there is little or no federal support for students at this age level. Current high school funding does not begin to address the needs of the approximately six million at-risk middle and high school students who read below basic levels and are at the greatest risk of dropping out of school.

Specifically, NCLB requires all high schools to:

- employ only "highly qualified" teachers in core academic subjects by the end of school year 2005–06;
- end the practice of counting alternative graduation certificates, such as the General Education Development program (GED), as comparable to graduating from high school;
- define graduation rates in a rigorous and standardized way (for example, the percentage of ninth graders who graduate from high school four years later); and
- annually test—in the subjects of reading, math, and, eventually, science—all students in at least one grade (10–12). States must include limited-English-proficient (LEP) students and students with disabilities in the testing, providing appropriate "accommodations" when necessary—for example, allowing more time, or giving students tests in their native language; and
- steadily increase students' test scores and graduation rates, ensuring that 100 percent of students meet proficient levels of achievement by the spring of 2014.

In each of these areas, this report describes in detail NCLB's requirements for high schools.[2] NCLB allows states latitude in developing standards and accountability systems, so each of the requirements will be interpreted and implemented differently in each state. Therefore, this report includes descriptions of the accountability plans of the ten states approved by the U.S. Department of Education as of April 11, 2003 (see Appendix A for a technical summary of the plans).[3]

The Challenge

NCLB was created to address the unsatisfactory learning outcomes of American students, especially minority and poor students, who continue to perform at significantly lower levels than their peers. According to the U.S. Department of Education's introduction to its "desktop reference" on NCLB (U.S. Department of Education, 2002):

> American students still lag behind many of their fellow foreign students and the academic achievement gap in this country between rich and poor, white and minority students, remains wide. Indeed, President Bush expressed concern that "too many of our neediest children are being left behind."

Many of the children being left behind are in high school. The statistics are alarming:

- 714,000 high school seniors (23 percent) have difficulty reading on the eve of their high school graduation.
- Each day, approximately 3,000 students drop out of middle school or high school.
- In many city schools, less than half of eighth graders will graduate from high school in five years.
- This year alone, nearly 540,000 students will leave the American school system.

Overall, there are six million middle and high school students most at risk of dropping out of high school because they read below basic levels (Alliance for Excellent Education, 2002). Although approximately one quarter of all American middle and high school students read below basic levels, the percentages vary significantly by state. For example, in Maine, 16 percent of eighth-grade students read below basic levels, whereas 39 percent of students in Mississippi fall into that category (see Appendix B). Similarly, there is a wide range in the number of students in each state most at risk of dropping out of school. As shown in Appendix B, the number of students at greatest risk ranges from about 12,000 middle and high school students in Wyoming (24 percent of all students in grades 6–12) to approximately 1.1 million students in California (36 percent of students).

Box 1. Bottom Ten: States and At-Risk Students

States with the largest number of students at risk of dropping out of high school		
State	Percentage of Students at Risk	Number of At-Risk Students in Grades 6 - 12
California	36%	1,106,300
Texas	24%	489,600
Florida	35%	438,500
New York	22%	310,800
Georgia	32%	231,200
North Carolina	24%	157,600
Louisiana	36%	134,500
Virginia	22%	131,300
Tennessee	29%	129,900
Alabama	34%	128,000

Source: Calculations by the Alliance for Excellent Education, based on the percentage of students reading below basic levels on the 1998 National Assessment of Educational Progress (NAEP).

Not surprisingly, the graduation rate, about 69 percent across the country, varies from state to state as well (Greene, 2002). Graduation rates range from a low of only 55 percent in Florida to a high of 87 percent in New Jersey (see Appendix B).

Box 2. Top Ten and Bottom Ten: State Graduation Rates

States with the lowest graduation rates		States with the highest graduation rates	
State[4]	Graduation Rate	State	Graduation Rate
Florida	55%	New Jersey	87%
Georgia	56%	North Dakota	86%
District of Columbia	58%	Utah	86%
Arizona	59%	Iowa	85%
South Carolina	59%	Nebraska	84%
Nevada	60%	South Dakota	83%
Tennessee	60%	West Virginia	83%
Arkansas	61%	Montana	81%
North Carolina	63%	Wisconsin	81%
Mississippi	63%	Minnesota	80%
New Mexico	64%	Wyoming	80%
New York	64%		

Source: Greene, 2002.

These shockingly low graduation rates, not widely known, represent the percentage of eighth-grade students who graduate five years later (Greene, 2001, 2002). As shown in Box 3, the graduation rates are even worse in many urban districts.

Box 3. Bottom Ten: District Graduation Rates

Urban districts with the lowest graduation rates	
District	Graduation Rate
Cleveland	28%
Indianapolis	39%
Memphis	42%
Milwaukee	43%
Oakland	43%
Columbus	45%
Chicago	47%
Dekalb County (Atlanta)	51%
Dallas	52%
Houston	52%

Source: Greene, 2001.

Although some students failing to graduate with their peers will ultimately earn a high school diploma or a GED,[5] the economic and social implications of large numbers of students failing to progress through high school and to meet high standards are significant (see, for example, Murnane et al., 1995; McMahon, 1998).

The failure of so many students to graduate from high school is a cause for alarm and suggests that many American high schools, as they now exist, have become dysfunctional. No hospital, for example, would retain the confidence of the public if its patient survival rate equaled the 28 percent graduation rate of the Cleveland high schools. No profit-making delivery company like UPS or Federal Express would retain consumer confidence if its on-time delivery rate equaled Houston's graduation rate of only 52 percent.

One reason graduation rates may be so low for many high school students is the fact that these students are being taught by poorly prepared teachers. Across the country, vast numbers of students are taught by teachers without a major or a minor in their field. The problem is especially acute for students in "low-track" classes—those who need the most assistance to meet high standards (Ingersoll, 1999)—and schools with high concentrations of poor students (Jerald, 2002). Moreover, although the subjects of math and science are frequently cited as especially lacking in qualified teachers, Box 4 illustrates that the problem is severe in history and, to a lesser extent, in English and social studies as well. Box 4 also highlights the stark reality that low-achieving students are much more likely to have the least qualified teachers on a wide range of subjects.

Box 4. Teaching Out of Field

Percentage of public secondary school students taught by a teacher *without* a major or a minor in that field

	English	Math	Science	Biology	Physics/ Chemistry	Social Studies	History
Total All Students	20.8%	26.6%	16.5%	38.5%	56.2%	13.4%	53.9%
By Achievement Level of Student							
Low-Achieving	24.7	33.5	20.4	42.3	66.8	14.3	55.1
High-Achieving	11.2	20.4	7.2	20.7	43.0	11.2	51.1
By Grade Level							
9	15.7	18.1	10.7	27.9	61.7	8.7	48.7
10	11.1	16.8	8.9	29.3	45.7	8.8	51.1
11	11.2	15.9	6.4	23.5	36.8	6.8	47.0
12	13.9	24.2	13.1	25.3	41.0	11.3	62.4

Source: Ingersoll, 1999.

NCLB Requirements Specifically Targeted to High Schools

To address these challenges, NCLB requires states, districts, and high schools to take steps to ensure that all students meet high academic standards. NCLB's requirements for high schools fall into four main categories: teacher quality, testing, graduation and graduation rates, and adequate yearly progress.

Teacher Quality

NCLB includes specific requirements for making sure that secondary school teachers are "highly qualified." Each state receiving NCLB Title I monies (grants to school districts to serve low-performing students) must ensure that teachers of "core academic subjects"—English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography—meet the qualifications shown in Box 5. It should be noted that NCLB does not emphasize the need for high school teachers to be able to teach reading or writing.

Box 5. Mandated Timeline for Secondary School Compliance with NCLB Requirements for Teacher Quality

Effective Date	Requirement for Middle and High School Teachers
New hires (beginning with the 2002–03 school year)	1) Must have full state certification or have passed the state teacher-licensing examination and hold a license to teach in the state. 2) Neither certification nor licensure requirements can be waived on emergency, temporary, or provisional basis. 3) Must hold at least a bachelor's degree and have demonstrated a high level of competency in each of the academic subjects in which the teacher teaches by: a) passing a rigorous state academic subject test in each of the academic subjects in which the teacher teaches;[6] or b) successfully completing, in each of the academic subjects in which the teacher teaches, an academic major, a graduate degree, coursework equivalent to an academic major, or advanced certification or credentialing.
Teachers hired before the 2002–03 school year (must be compliant by the end of the 2005–06 school year)	1) Must have full state certification or have passed the state teacher-licensing examination and hold a license to teach in the state. 2) Neither certification nor licensure requirements can be waived on emergency, temporary, or provisional basis. 3) Must hold at least a bachelor's degree and: a) have either met the applicable standard for a new teacher, which includes an option to test or b) demonstrated competence in all academic subjects that he or she teaches, based on a high objective and uniform state standard of evaluation.

Source: The No Child Left Behind Act of 2001.

In addition, teachers in an alternate route program (such as Teach for America, or the Troops-to-Teachers program) may be considered to meet the certification requirements if they (1) participate in high-quality professional development, (2) participate in a program of intensive supervision (such as an induction program), (3) assume functions as a teacher only for a specified period of time, not to exceed three years, and (4) demonstrate satisfactory progress toward full certification as prescribed by the state.

States must submit their plans for ensuring that all teachers are highly qualified to the U.S. Department of Education by the end of May 2003.

Graduation and Graduation Rates

NCLB's definition of a regular high school diploma excludes any certification that is not aligned with state standards, such as alternative certificates or the GED. This exclusion comes at a time when programs like the GED are becoming an increasingly popular way for students to earn their high school diploma. For example, in 2001, more than 945,000 students in the United States took at least one of the four (language arts, social studies, science, and math) GED tests, an increase of 31.6 percent over 2000 (American Council on Education, 2002).

Other than excluding alternative certification of high school completion, NCLB leaves each state free to determine the diploma requirements for their students. For example, NCLB does not dictate the type or number of courses students must complete to be eligible to graduate with a regular high school diploma. Neither does NCLB require states to administer high school exit exams. The development and requirement of such tests is the choice of each individual state.

NCLB requires that all states report the graduation rates of their students to the U.S. Department of Education on an annual basis. While the system of Adequate Yearly Progress (AYP), as discussed below, relies heavily on academic assessments, reported graduation rates serve as a required second progress indicator for high schools. NCLB defines "graduation rate" as the percentage of students, measured from the beginning of high school, who graduated with a regular diploma in the standard number of years. This methodology is consistent with that used by Greene (2002), whose graduation rates are reported in this paper, and usually results in lower graduation rates—and higher dropout rates—than those that have been reported in the past to the Department of Education.

States may opt to use a state-developed definition for the term "graduation rate" if they believe it will more accurately measure the rate of students who graduate from high school with a regular diploma in their state. For instance, some states may have five-year high school programs. Students in such a program would not be counted as nongraduates when reporting graduation rates unless they failed to complete the program within five years. This definition must be explained in the states' accountability plans that were submitted to the U.S. Department of Education in January 2003. A summary of plans for calculating graduation rates from ten states—those approved by the Department of Education by April 11, 2003—may be found in Appendix A.

Testing

As displayed in Box 6, NCLB does not require high schools to administer annual testing at every grade level or in every subject area. Students must be tested at least once in grades 10–12, and reading/language arts, mathematics, and science are the only required subject-area assessments. Participation in the National Assessment of Educational Progress (NAEP) is required at the elementary and middle school levels but not at the high school level.

Box 6. Timeline and Components of State Testing as Required by NCLB

Effective Date	Required Assessment	Grades 3–8	Frequency	Grades 10–12	Frequency
2002–03	National Assessment of Educational Progress (NAEP)[7]—Reading and Math	Sample of students in grades 4 and 8	Every other year	Not required	NA
2005–06	State Reading/ Language Arts and Math	Each grade level	Annually	One grade level only	Annually
2007–08	State Science	One grade level only in each grade span: 3–5 and 6–9	Annually	One grade level only	Annually

Source: The No Child Left Behind Act of 2001.

NCLB requires that states include all students in the state assessment system, including LEP and disabled students. LEP students must be assessed and be provided reasonable accommodations on the assessments. Guidance from the U.S. Department of Education suggests that accommodations may include providing the assessment in the primary language. Similarly, states are required to provide reasonable adaptations and accommodations for disabled students—allowing them more time to finish their tests, for example—which must follow standard state guidelines.

States were required to include a description of their NCLB-compliant testing program as part of the accountability plans submitted to the U.S. Department of Education in January 2003. A summary of testing plans from ten states—those approved by the Department of Education by April 11, 2003—may be found in Appendix A.

Adequate Yearly Progress

NCLB requires two report cards: one for the entire state, and one for each school district. The report cards must include information about the annual progress of each school—Adequate Yearly Progress, or AYP—and provide this information to the public in an understandable and uniform format.

AYP is the measure by which all schools (including high schools), districts, and states are held accountable under NCLB. Each state is responsible for developing an AYP definition that all of its schools and districts must meet. This definition is part of each state's accountability plan submitted to the U.S. Department of Education in January 2003, and varies from state to state. Certain information, however, must be included in every state's plans.

Each state must, for example, include a clear explanation of AYP in its accountability plan. The state tests must be the primary factor in the state's measure of AYP. High schools must also use graduation rates as an AYP indicator. Each state can decide whether other indicators, such as the reduction in the number of violent incidents on student property,[8] are used to determine AYP.

States must also establish measurable, annual objectives for continuous and substantial improvements to ensure that by the spring of 2014, all students will meet or exceed the state's proficient level of academic achievement. For example, New York has determined that by the end of the 2014–15 school year, 100 percent of high school students will score at or above 55 on the state's Regents examination or not less than 65 on a Regents competency test within four years of entry into ninth grade.

The assessment must also measure the progress of subgroups within the student population as a whole. Subgroups of students include the following:

- economically disadvantaged students;
- students from major racial and ethnic groups;
- students with disabilities; and
- students with limited English proficiency.

At least 95 percent of students in each of the four subgroups must be included in assessments. Each subgroup of students must meet or exceed the measurable annual objectives set by the state for each year. There are exceptions, however, if students are not meeting the objectives but are nonetheless making progress. Specifically, a school within the state may still meet this requirement if all the following conditions are met:

- the percentage of students in the subgroup(s) failing to reach the proficient level has declined by at least 10 percent;
- for secondary schools, the targeted increase in high school graduates was met;
- for elementary schools, progress on the state's other academic indicator was met; and
- progress was also met on any additional indicators adopted by the state.

If a school fails to make AYP for two consecutive years, the school must be identified for school improvement. As shown in Appendix C, many high schools have already been identified as in need of improvement under the law that preceded NCLB (the Improving America's Schools Act, signed by President Clinton in 1994).[9] Box 7 shows the states with the greatest number of high schools identified as in need of improvement.

Box 7: Top Ten and Bottom Ten: States' Identification of High Schools in Need of Improvement[10]

States identifying the greatest number of high schools in need of improvement		States identifying the smallest number of high schools in need of improvement	
State	Number of High Schools Identified	State	Number of High Schools Identified
California	157	Arkansas	0
Nebraska	87	Connecticut	0
Arizona	73	Iowa	0
Florida	64	Kansas	0
New York	61	Maine	0
Louisiana	36	Nevada	0
Rhode Island	36	Oklahoma	0
Pennsylvania	30	West Virginia	0
South Carolina	26	Wyoming	0
Texas	24	Maryland	1
		Ohio	1

Source: Information collected by the Alliance for Excellent Education.

It is important to note that the number of schools identified by a state has as much to do with the states' criteria for adequacy as it does with the quality of the schools. For example, Nevada identified no high schools as needing improvement but has a graduation rate of only 60 percent, with 31 percent of eighth graders reading below the basic level as measured by NAEP, which suggests that the state has relatively low standards for school quality. Maryland, known as a state with high standards, also identified no high schools as needing improvement, but has a graduation rate of only 72 percent, with 28 percent of their eighth-grade students reading below the basic level. The new AYP requirements can be expected to increase the number of all schools, including high schools, identified as needing improvement.

Once a Title I school has been identified as in need of improvement, increasingly rigorous corrective actions are to be taken by the district to improve student outcomes. Corrective actions include replacement of school staff, implementation of a new curriculum and appropriate professional development for educators, reduction of management authority at the school level, assignment of a technical consultant, extension of the school year or day, and restructuring of the organizational structure of the school.

Resources: Limited Funding Adds to Challenges Faced by High Schools

High schools require a great deal of assistance and hard work by educators and administrators to ensure that their students meet rigorous state standards. In an interview about declining test scores for twelfth graders (Schemo, 2001), Jack Jennings, the director of the Center on Education Policy, noted, "We're on our way to improving elementary schools. Middle schools have some way to go, but we have a *long* way to go [to] get the high schools doing better."

Given the limited amount of federal dollars currently available, school districts now seeking to implement NCLB are faced with a stark choice: they can choose to help the six million at-risk students now in middle school and high school and likely to be left behind, or they can "front-end" their NCLB and other federal dollars at the elementary level. Given what is perceived as a choice between saving one generation of students over another, the vast majority of school districts invest their federal dollars at the elementary level. The following table presents the funding levels of NCLB and other federal programs targeted to high schools to help them meet the various requirements of NCLB.

Box 8: Federal Resources Targeted to High Schools

Source of Federal Resources Targeted to High Schools	FY 2003 Funding Level	Authorized Level
Title I, Part G: Advanced Placement (NCLB) Grants to state educational agencies to pay test fees for low-income students taking approximately 100,000 AP tests. The program also supports state and local efforts to make pre–advanced placement and advanced placement courses more widely available to low-income middle and high school students.	$23.34 million	"Available funds"
Title I, Part H: School Dropout Prevention (NCLB) Assists schools with high dropout rates to implement dropout-prevention programs. Identifies 10 allowable activities, including: professional development; reduction in pupil-teacher ratios; counseling and mentoring for at-risk students; and implementing comprehensive school reform models.	$10.9 million	$125 million (2002)
Title V, Part D: Smaller Learning Communities (NCLB) Offers competitive grants to local school districts to create smaller schools or break up larger schools by funding innovative strategies such as schools-within-schools and career academies.	$160.9 million	N/A[11]
Carl D. Perkins Vocational and Technical Education Program (Perkins Act) Provides formula grants to states to further state and community efforts to improve vocational education programs and adult education and literacy systems.	$1.3 billion ($760 million goes to high schools)	Up for reauthorization
TRIO (Higher Education Act) Encourages individuals from disadvantaged backgrounds to enter and complete college.	$827 million (serves less than 10 percent of eligible population)	Up for reauthorization
GEAR UP (Higher Education Act) Funds partnerships of high-poverty middle schools, high schools, colleges and universities, community organizations, and businesses to work with entire grade levels of students.	$293 million (serves less than 10 percent of eligible population)	Up for reauthorization

As shown in Box 8, programs that are specifically targeted to support high schools are relatively small. For example, the School Dropout Prevention Program, which helps high schools implement proven programs for keeping students in school and achieving at high standards, received only $11 million in 2003. Similarly, the Smaller Learning Communities program seeks to help large comprehensive high schools create smaller learning communities that improve school safety, increase teacher effectiveness and morale, and raise student test scores. This program received a modest $161 million in 2003.

Moreover, relatively large programs that do explicitly support high schools serve a small percentage of eligible students and face budget cuts or no budget increases. For example, the president's proposed budget cuts the Perkins vocational and technical education program, the largest program directed to high schools, by 23 percent. In addition, the president's budget provides no increase in funding for TRIO and Gear Up, programs that put hundreds of thousands of students on the road to college.

It should be noted that programs not listed in the above table, including Title I, Part A, of NCLB (grants to school districts to serve low-performing students), have significant resources intended to serve students in grades K through 12. However, although states and districts can use these resources for high schools, most choose *not* to do so. For example, although intended for elementary and secondary schools, only 5 percent of Title I, Part A, goes to high schools, as districts have appropriately focused limited dollars on improving outcomes among early-elementary school students in the hopes of preventing future problems in school (Alliance for Excellent Education, 2001).

Secondary schools are less likely than elementary schools to be targeted for Title I funds, and even when they are targeted, they receive fewer dollars. On average, elementary schools average $495 per student compared to only $372 for middle school and high school students, a $123 difference per child. As a result, the positive progress now being made in the early grades is not being sustained as the students progress through higher years of schooling (Alliance for Excellent Education, 2001).

Similarly, Title IV of NCLB provides almost $1 billion to help schools and communities provide afterschool and summer school learning opportunities to at-risk students. However, high schools represent only 9 percent of the schools receiving these funds, and President Bush has proposed cutting the program by $400 million in 2004.

For other programs not included in the above table, it is simply unknown how much funding high schools receive. For example, the U.S. Department of Education does not track the percentage of funds from Title II of NCLB (to improve the quality of teachers and principals) or the Individuals with Disabilities Education Act (for special education) going to support high schools.

Recommendations

Many high school students continue to struggle to meet states' increasingly rigorous standards, or, worse, they simply drop out of school. This is especially true for the millions of students who read below basic levels and therefore are prevented from accessing upper-level material in all subjects. At the same time, high schools struggle to meet the needs of their students and the demands of NCLB with limited resources. NCLB appropriately holds high schools responsible for improving student outcomes, but it fails to provide the resources that will enable the schools to do so. Accountability without resources is no better than resources without accountability.[12]

The good news is that research and experience show how to aid the six million middle and high school students most at risk for failure. In fact, effective, research-based models at successful schools share a set of common components for educating teens at high risk for dropping out. In a recent report (Joftus, 2002), the Alliance for Excellent Education proposed the Framework for an Excellent Education, which addresses the problem of low literacy skills among adolescents, poorly prepared teachers and principals in high-needs schools, the absence of coordinated support services for students, and large impersonal learning environments found in most high schools. Educators recognize the roots of secondary student failure, and experts have identified solutions. In fact, the four initiatives comprising the framework have greatly enhanced student achievement and reduced dropouts in high schools and districts across the country. These successes can be replicated systemically, but only if additional federal funds are provided. Our high school students and their schools, long left out and left behind, deserve no less.

Appendix A: Summary of High School Provisions in State Accountability Plans Approved by U.S. Department of Education by April 11, 2003.

COLORADO (Approved January 8, 2003)	
Tests used	The Colorado State Assessment Program spans grades 3 to 10 in reading and writing and grades 5 to 10 in math. Additionally, the ACT is administered to all juniors in Colorado high schools.
How proficiency is defined	For the purposes of calculating and reporting AYP, partially proficient and proficient ranges will be considered proficient to determine the value-added growth that the schools and districts as institutions are delivering to public school students.
How subgroups are counted	The minimum number of students in a group required for CSAP reporting is 16. For the purpose of accountability, the minimum number of students will be 30. If a school or LEA has 30 or more students in a required subgroup, that school or LEA must meet annual performance targets set by the state. Schools and LEAs must meet the measurable objectives and goals set by the state regardless of the number of students tested.
How Adequate Yearly Progress is defined	Results for assessments at all instructional levels for schools that have been integrated into Colorado's single accountability system will be used for reporting AYP. Annual measurable objectives are set that are consistent with the state's intermediate goals and specifically identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on CSAP.
How graduation rate is defined	Under Colorado law, local school boards are responsible for establishing the requirements for high school graduation, and requirements vary from district to district. The graduation rate does not include students who obtain a GED or certificate of completion without completing the locally defined requirements for graduation. If a student is not considered a graduate by the local board of education, that student is not included in the graduation rate calculation. Colorado's definition of graduation rate includes only those students who receive diplomas within the standard number of years, calculated on the number of students who actually graduate as a percentage of those who were in membership and could have graduated over a four-year period from grades 9 to 12.
How graduation rate improvement is measured	Graduation rate improvement is measured as the percentage of students who have completed high school within four years of first entry into ninth grade as measured by annual cohort, or, for ungraded students with disabilities, by age 21. To make AYP, schools must meet or exceed the performance standard or decrease the difference between the previous year's performance and the standard by a set percentage.
How dropout rate is defined (not required)	A dropout is defined as any student, regardless of age, who left school prior to graduation for any reason except death or leaving the United States who did not enter another school, high school equivalency preparation program, or other diploma program.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" by no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from the school year 2002–03 by the fall of 2003.

Source: *Colorado Department of Education Consolidated State Application Accountability Workbook*. (January 5, 2003.) Available with attachments online at http://www.ccsso.org/workbooks/workbooks.html.

DELAWARE
(Approved April 11, 2003)

Tests used	Delaware Student Testing Program (DSTP) for grade 10 reading, writing, and math.
How proficiency is defined	Delaware has five levels of student performance. Proficient means that a student has scored at "Meets the Standard" level or better on DTSP. Scale scores for reading and math are reported on a developmental scale ranging from 150 to 800. The determination of the DSTP scale scores has been made using a procedure that involves linking to the Stanford Achievement Test version 9 (SAT 9) scores for reading and math.
How subgroups are counted	The subgroup size for purposes of accountability and AYP has been set at 40. For reporting purposes, there must be 15 students in a subgroup. This definition is applied to all public schools and districts across the state, including charter schools.
How Adequate Yearly Progress is defined	Determination of AYP for high schools will be based on the grade 10 Delaware Student Testing Program annual assessment for all subpopulations and each school's graduation rate. Each high school's present-year test results will be compared to specified annual objectives and intermediate targets for reading/language arts and mathematics. A high school will be deemed to have met AYP if test results meet the annual objective or intermediate target (or the school meets safe-harbor requirements for any subpopulation, if necessary) and maintains the current graduation rate, or demonstrates progress toward the 2013–14 graduation rate goal of 90 percent.
How graduation rate is defined	The graduation rate is the number of students in one cohort who started in the school/district in ninth grade and graduated four years later divided by the same number plus those who have dropped out during the four-year period. Delaware has individual student data from DELSIS and graduation/exit data and can thus calculate the graduation rate by disaggregated subgroup. Delaware's graduation rate is consistent with the NCES definition and NCLB requirements modified to exclude students who earn GED certificates. Weekly updates to the student information system (DELSIS) will make the calculation valid and reliable. The graduation rate will be based on the previous school year.
How graduation rate improvement is measured	The target for this indicator for high schools will be a graduation rate of 90 percent by the school year 2013–14. Beginning in 2003, when compared to the previous year, each school, or subgroup, if used in safe harbor, will be expected to maintain its graduation rate or show positive progress when compared to the previous year toward the state target of 90 percent. A school that does not maintain its graduation rate or show positive progress from the previous year will be considered as not meeting AYP for that year.
How dropout rate is defined (not required)	The dropout rate is defined as the number and percentage of students who leave school for any reason, except death or verified medical reasons, before graduation or completion of a state-approved educational program, and who are not known to enroll in another school or state-approved program during the current school year. The dropout rate will be based on the previous school year.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" by no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from the school year 2002–03 by the fall of 2003.

Sources: *State of Delaware Consolidated State Application Accountability Workbook*. Electronically transmitted by Dr. Michael Stetter (mstetter@doe.k12.de.us), Education Associate, Assessment & Accountability, Delaware Department of Education, April 16, 2003.

INDIANA
(Approved January 8, 2003)

Tests used	The Indiana Statewide Testing for Educational Progress Plus (ISTEP+) English/language arts and mathematics tests, grades 9 and 10. If the board determines that adequate resources are not available to support administration of all mandatory annual assessments, high schools are required to administer only tenth-grade assessments.
How proficiency is defined	The PASS level will be used for the purposes of proficiency. The pass score for English/language arts is 466 (out of a possible 800) and 486 for math (out of a possible 720).
How subgroups are counted	Subgroups with less than 10 will not be reported for reasons of privacy in identification. To meet the 95% participation rate, Indiana has set this number at 40. For purposes of AYP accountability, the subgroup minimal size is set at 30. This will vary based on the purpose of the calculation and the concerns specific to the students-with-disabilities subgroup.
How Adequate Yearly Progress is defined	As soon as sufficient data are available, AYP determinations shall be made based on current performance or an average of the three previous years' performance, whichever is higher. Based on increases in achievement of a nonmobile cohort group of students as they progress through school, increases in achievement will be measured by percentage-point increases in students who pass mandatory annual assessments in English/language arts and mathematics, calculated as an average rate across subject areas and grade levels. Until sufficient data have been collected to use the above calculations, an interim method will be used. Initial determination for high school will be based on a comparison of the base year to the next year. The second determination will be based on a three-year average.
How graduation rate is defined	Indiana uses an NCES "survival model" that defines graduation rate as the product of the survival rates (1 minus the dropout rate) for each of the four grades in a high school. Indiana only awards a standard high school diploma. Students completing course requirements but not completing the Graduation Qualifying Examination requirement may receive a different certificate and are not counted as graduates.
How graduation rate improvement is measured	High schools are required to have goals for increases in graduation rate that culminate in a 95% graduation rate. The state accountability system requires establishing a minimum graduation rate for each school improvement and performance category. The graduation rate will be the percentage of students who earned a regular high school diploma no later than the end of year four. An exception will be made for high schools where a majority of students participate in a state-approved five-year program that results in the receipt of certification in a career or technology field in addition to a high school diploma.
How dropout rate is defined (not required)	A dropout is defined as any student, regardless of age, who left school prior to graduation for any reason except death or leaving the United States who did not enter another school, high school equivalency preparation program, or other diploma program.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from the school year 2002–03 by the fall of 2003.

Sources: *Indiana Department of Education Consolidated State Application Accountability Workbook*. (January 6, 2003, revision.) Also from Mr. Gary Wallyn, Director of School Data Reporting, Indiana Department of Education. Available with attachments online at http://www.ccsso.org/workbooks/workbooks.html, and from Mr. Gary Wallyn.

KANSAS
(Approved April 4, 2003)

Tests used	The Kansas standards and assessment system is being revised to include assessments of mathematics and reading in at least one grade in high school. Beginning in 2005–06, the mathematics assessment at the secondary level will be given in two parts rather than one assessment at grade 10. Students may take the tests any time between ninth and eleventh grade; all students must have completed both parts by the end of eleventh grade.
How proficiency is defined	When performance level cut points are set on new state assessments in 2005–06 and empirical data are available, a validation study of cut points will be conducted to ensure that actual student performance matches definitions of student performance.
How subgroups are counted	All student subgroups of 30 or more must meet the state's established annual, measurable performance objectives in order for a school or district to make AYP. In instances in which there are fewer than 30 students in a subgroup within a school and/or district, the AYP calculation for that subgroup will apply to the next level, either the district or the state. Kansas requires that subgroups have at least 10 students for reporting purposes.
How Adequate Yearly Progress is defined	Until the assessment revisions are implemented in the 2005–06 school year, those schools not having grades assessed will be held accountable through a "feeder pattern." That is, the performance of the schools not having grades tested will be determined by the performance of the schools that students attend following their completion of the highest grade in the nontested school.
How graduation rate is defined	The graduation rate is determined by dividing the total number of twelfth-grade graduates by the sum of twelfth-grade graduates and all students who dropped out or transferred in during grades 9–12. Students who transfer out are subtracted from the total number of students. The measurement looks at the same group or cohort of students from the ninth-grade year through the twelfth grade. The data are presented as a cohort rate and are calculated in the same manner as used in National Center for Education Statistics reports on Common Core of Data.
How graduation rate improvement is measured	A school or district is said to meet the graduation rate requirement for AYP as established by the Kansas State Board of Education when its graduation rate is at or above the graduation rate established by the State Board (75%) or it shows improvement from the previous year's graduation rate. The expected rate will be established based on current data; once the state has data that do not include students who have earned the GED, the rate will be adjusted if necessary.
How dropout rate is defined (not required)	The dropout rate is calculated in the same manner as the National Center for Education Statistics.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" by no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from the school year 2002–03 by the fall of 2003.

Source: *Kansas State Department of Education Consolidated State Application Accountability Workbook*. (Revised March 17, 2003.) Available with attachments online at http://www.ed.gov/offices/OESE/CFP/csas/index.html.

MARYLAND
(Approved April 1, 2003)

Tests used	Maryland will use its newly developed assessments in reading and mathematics, the Maryland School Assessments (MSA), in tenth-grade reading beginning in March 2002 to measure the performance of schools and school systems. The end-of-course geometry assessment will be used as the mathematics measure for the grade band 10–12. The geometry assessment is also a graduation requirement for all students.
How proficiency is defined	The state will set proficiency levels for mathematics and reading in the summer of 2003. The proficiency levels planned include basic, proficient, and advanced performance levels to conform to NCLB requirements.
How subgroups are counted	AYP: Maryland will use a minimum subgroup size of five and use statistical significance tests to ensure that AYP determinations are fair and accurate for subgroups of varying sizes. Participation: 30 students at schools and 60 at the district level will be used to determine the NCLB 95% participation rate requirement.
How Adequate Yearly Progress is defined	For the 2002–03 school year, schools, LEAs, and the state will be expected to at least maintain 2001–02 performance levels. The annual measurable objective will be equal to the starting point. For the 2003–04 school year, the annual measurable objective will be one third of the difference between the starting point and the 2004–05 intermediate goal.
How graduation rate is defined	Maryland will use the National Center for Education Statistics (NCES) synthetic graduation rate formula.
How graduation rate improvement is measured	Performance standards for the graduation rate will be set by May 2003, and will represent the expected graduation rate for satisfactory performance for subgroups, schools, LEAs, and the state.
How dropout rate is defined (not required)	The percentage of students dropping out of school in grades 9–12 in a single year is computed by dividing the number of dropouts by the total number of students in grades 9–12 served by the school. Students who reenter school during the same year in which they dropped out of school are not counted as dropouts. The dropout rate is defined as the number and percentage of students who leave school for any reason, except death, before graduation or completion of a Maryland-approved educational program, and who are not known to enroll in another school or state-approved program during the current school year. The year is defined as July through June and includes students dropping out over the summer and students dropping out of evening high school and other alternative programs.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from the school year 2002–03 by the fall of 2003.

Source: *Maryland State Department of Education Consolidated State Application Accountability Workbook*. Available online at http://www.msde.state.md.us/esea/pdf/acct_workbook03.pdf.

MASSACHUSETTS
(Approved January 8, 2003)

Tests used	The Massachusetts Comprehensive Assessment System (MCAS) will be the assessment tool used to test tenth-grade English/language arts and mathematics.
How proficiency is defined	MCAS assessments report student results in four performance categories that are equivalent to those used in reporting NAEP results. Proficiency threshold scores (the minimum total test score for each performance level) for English/language arts and math are 52 (out of 72 possible) and 31 (out of 60 possible), respectively.
How subgroups are counted	Minimum sample size for reporting performance is an average of 20 students per year for each two-year rating period, and no fewer than 15 students in any one year. Massachusetts issues improvement ratings, using a standard error band of 2.5 points for all school and districts that have an average of 50 students per year and no fewer than 40. For schools with an average of 20 or more but fewer than 50, a custom-determined error band of up to 4.5 points is used to determine improvement ratings, and ratings are issued only when a 95% confidence level can be achieved.
How Adequate Yearly Progress is defined	State targets have been established for English/language arts and math performance, progressing in equal increments for each two-year period from 2002 to 2014 from state starting points. To make AYP, districts, schools, and subgroups must demonstrate student performance above the state target for that time period or show improvement at a rate that, projected forward, puts the school "on target" for getting all students at or above proficiency by 2014.
How graduation rate is defined	Reporting of the graduation rate will begin in 2005, using the NCLB definition. An interim measure (pre-2005 reporting) will be the percentage of students who took the tenth-grade MCAS and graduated with a competency determination (MCAS graduation standard) two years later. Students that transfer in or out of the school after the tenth-grade test administration will not be included in the denominator or numerator.
How graduation rate improvement is measured	High schools are required to have goals for increases in graduation rate. The graduation rate will be the percentage of students who earned a regular high school diploma no later than the end of year four. An exception will be made for high schools where a majority of students participate in a state-approved five-year program that results in the receipt of certification in a career or technology field in addition to a high school diploma.
How dropout rate is defined (not required)	Beginning in the 2004–05 school year, dropouts are defined as students who leave school prior to graduation for reasons other than transfer to another school. Students who are retained in grade, and thus leave their original class, will not count toward the number of graduates, but will be included in the denominator as members of the original class. In the interim, the dropout rate will be measured using the percentage of students who took the tenth-grade MCAS and graduated with a competency determination two years later. Students transferring in or out of the school after the tenth-grade test administration will not be included in the denominator or numerator.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from school year 2002–03 by the fall of 2003.

Source: *Massachusetts Consolidated State Application Accountability Workbook*. Available online at http://www.ccsso.org/workbooks/workbooks.html.

MISSISSIPPI
(Approved March 19, 2003)

Tests used	Using the state's standards for proficiency on the Mississippi Curriculum Test (MCT) and Subject Area Testing Program (SATP), data from school year 2001–02 were used to establish annual measurable objectives (see section 3.2b). English II assessment will be used for grade 10.
How proficiency is defined	The minimal score for proficiency in math is 344 (scale score out of 500). The minimal score for proficiency in English is 346 (scale score out of 500).
How subgroups are counted	A minimum of 10 students are required in a subgroup for reporting purposes. For AYP accountability purposes, 40 students make up a subgroup.
How Adequate Yearly Progress is defined	The intermediate goals increase in equal increments from 2002–03 through 2013–14 beginning at the starting point and reaching 100% in 2013–14. The first incremental increase takes effect in the 2004–05 academic year, and each following incremental increase occurs within three years.
How graduation rate is defined	The graduation rate is calculated by dividing the number of graduates by the number of ninth-grade students four years earlier. The ninth-grade enrollment number has been adjusted to reflect the number of new students entering the system, the number moving out, the number failing, and the number who have died. Students who were originally coded by school districts as dropouts who later are determined to be transfer students may not be included in the calculations.
How graduation rate improvement is measured	Until disaggregated graduation rates can be calculated (in 2004–05), the growth index may be used as the other academic indicator for high schools when implementing the alternate AYP method. Graduation rates will be included for the student aggregate at each school and used to determine whether that group makes AYP.
How dropout rate is defined (not required)	Dropouts are reported in numbers not by rate on state- and district-level report cards. Data are collected over a nine-month period and do not include students who drop out and reenter during a term as dropouts.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from school year 2002–03 by the fall of 2003.

Source: *Mississippi Statewide Consolidated State Application Accountability Workbook*. Available online at http://www.mde.k12.ms.us/extrel/news/03NCLB.html. Additional information was culled from telephone conversations with individuals from the Mississippi State Department of Education, Office of Research and Statistics: Steve Hebbler, Director; Camille Chapman, Grade Level Testing Program Coordinator; Jan Kirkland, Subject Area Testing Coordinator; and Deborah Pierce, Lead Programmer Analyst.

NEW YORK
(Approved January 8, 2003)

Tests used	High School Mathematics: New York State Regents Examination in Mathematics (Sequential Math I, II, III; Mathematics A or B), including translated version; Regents Competency Test in Mathematics (for students with disabilities); Approved Alternatives to Regents; and New York State Alternate Assessment (for specified students with severe disabilities); High School Language Arts: New York State Regents Comprehensive Examination in English; New York State Alternate Assessment (for specified students with severe disabilities); Approved Alternatives to Regents; and Regents Competency Tests in Reading and Writing (for students with disabilities).
How proficiency is defined	Proficiency is defined as a score between 65 and 84. Advanced is defined as a score of 85 or above. In addition, the Regents have established a fourth level, Basic Proficiency, which is defined as a score within the 55–64 range. Students who pass an approved alternative to a Regents exam are considered proficient. Students with disabilities who pass the appropriate Regents Competency Tests are considered to have demonstrated basic proficiency.
How subgroups are counted	A minimum of 30 students are required for measuring AYP (subject to board approval). A minimum of 40 students must be in a subgroup to measure participation rates, and five students for reporting.
How Adequate Yearly Progress is defined	Annual measurable objectives at the secondary level will be based on performance of the high school cohort in Regents English and mathematics.
How graduation rate is defined	The graduation rate is defined as the percentage of students who have completed high school within four years of their first entry into ninth grade as measured by annual cohort, or, for ungraded students with disabilities, by age 21. Students graduating from state-approved five-year high school programs that results in a receipt of industry certification in addition to a high school diploma will be counted in the graduation rate. Any student who dropped out or entered a high school equivalency preparation program will be counted as a high school noncompleter.
How graduation rate improvement is measured	The graduation rate is measured as the percentage of students who have completed high school within four years of first entry into ninth grade as measured by annual cohort, or, for ungraded students with disabilities, by age 21. To make AYP, schools must meet or exceed the performance standard or decrease the difference between the previous year's performance and the standard by a set percentage.
How dropout rate is defined (not required)	A dropout is defined as any student, regardless of age, who left school prior to graduation for any reason except death or leaving the United States who did not enter another school, high school equivalency preparation program, or other diploma program.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from school year 2002–03 by the fall of 2003.

Source: *Accountability Peer Review: New York State*. (January 6, 2003, revision.) Also used information from electronic transmissions with Martha P. Musser, Coordinator, Information and Reporting Services, New York State Education Department. Available with attachments online at http://www.ccsso.org/workbooks/workbooks.html.

OHIO
(Approved January 8, 2003)

Tests used	Beginning in the 2003–04 school year, the Ohio Graduation Test in English/language arts and math will be used for tenth grade.
How proficiency is defined	The proficiency rate is defined as the ratio of students whose test scores are at or above the proficiency standard to students who have a valid test score. The proficiency standard varies by grades and subjects. A scale score of 200 is the proficiency measure for ninth-grade math and reading. Students with scaled scores of 200 or above will be considered having reached proficiency in that area. New proficiency standards will be set based on results of the tenth-grade Ohio Graduation Test administered in March 2003.
How subgroups are counted	A minimum size of 40 students in a subgroup will be used in calculating the 95% participation rate required by NCLB. For privacy in reporting student information, the minimum subgroup size will be less than 10. For AYP calculations, the minimum subgroup size for groups, other than students with disabilities, will be 30. For students with disabilities, the minimum group size for accountability will be set at 45.
How Adequate Yearly Progress is defined	Intermediate goals for reading and mathematics will be applied to each school building, as well as to each subgroup at the school building level to determine AYP status. The intermediate goals will increase in equal increments over the 12-year timeline. Ohio will establish separate reading and mathematics statewide annual measurable objectives for elementary, middle, and high school grades that identify a minimum percentage of students who must meet the proficient level of academic achievement.
How graduation rate is defined	The graduation rate is an estimated cohort group rate that is calculated using the method recommended by the National Center for Educational Statistics (NCES). Students receiving non-standards-based diplomas or GEDs are not included as graduates when calculating graduation rates.
How graduation rate improvement is measured	Ohio's initial threshold for graduation rate will be the rate for the district at the top of the bottom quintile of enrollment when districts are ranked from lowest to highest graduation rates. At the end of the school years 2010–11 and 2012–13, the graduation rate will be raised by one third of the gap between the initial threshold rate and 100 percent. The graduation rate will apply to the school building and district level, but not to the subgroup level. School buildings and districts that achieve or exceed the threshold for the graduation rate, as well as those that are below the threshold but improve their graduation rate when compared to the previous year, will have met the other academic indicator for purposes of calculating AYP.
How dropout rate is defined (not required)	The dropout rate is defined as the number and percentage of students who leave school for any reason, except death or verified medical reasons, before graduation or completion of an Ohio-approved educational program, and who are not known to enroll in another school or state-approved program during the current school year. The year is defined as July through June and includes students dropping out over the summer and students dropping out of evening high school and other alternative programs.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from the school year 2002–03 by the fall of 2003.

Source: *State of Ohio Consolidated State Application Accountability Workbook*. (January 6, 2003.) Available online at http://www.ccsso.org/workbooks/workbooks.html.

WEST VIRGINIA
(Approved April 7, 2003)

Tests used	The state's new assessment and accountability system becomes effective in 2004. The new assessment, WESTEST, will test grade 10 in the areas of reading/language arts and mathematics and will be aligned to West Virginia's content standards and descriptors.
How proficiency is defined	West Virginia has identified five performance levels for the new assessments with two cuts below proficient and two cuts above proficient. Mastery (the middle level) is the proficient level of performance for West Virginia. In October 2003, West Virginia will set standards, using the statewide field test as impact data and, if needed, will complete another standard setting the results of two baseline data years in summer of 2005.
How subgroups are counted	The West Virginia Department of Education's minimum "n" for reporting is 10 students. The minimum number of 50 is used for accountability. The minimum "n" of 50 will apply to the 2002–03 SAT 9 test scores only. AYP determinations will be made on an "n" of 30. When assessment data from the WESTEST are a vailable in 2004, WVDE will examine the impact of the various "n" values that are statistically defensible for making valid and reliable AYP decisions.
How Adequate Yearly Progress is defined	West Virginia will use its current assessment (SAT 9) and accountability system as the basis for development of annual measurable objectives during the transition period of 2002–03. In the summer of 2005, grade span starting points will be established from two years of baseline data to determine the state-level projections for intermediate and annual measurable goals for reading/language arts and mathematics through 2014.
How graduation rate is defined	West Virginia uses the total number of 4-year graduates divided by the sum of the total number of 4-year graduates plus the dropouts as the formula for calculating the graduation rate. This method of calculation is the method recommended by the National Center for Education Statistics (NCES).
How graduation rate improvement is measured	Graduation rate improvement is measured at or above 80 percent or improvement over the rate from the preceding year. Schools will be considered as having met AYP if they meet or exceed the standard or if they have made improvement toward the standard.
How dropout rate is defined (not required)	An individual enrolled in school at some time during the previous school year but not enrolled on October 1 of the current school year or on October 1 of the previous school year although expected to be in membership will be considered a dropout. If the student has not graduated from high school, obtained a GED diploma, or completed a state- or district-approved education program and does not meet any exclusionary condition, the student is counted as a dropout. (West Virginia Legislative Rule, Title 126 [4.5–4.6], effective July 7, 2002.) The calculation for West Virginia's dropout rate is the method recommended by the NCES. The performance target is that the dropout rate for students, in the aggregate and in each subgroup, be no greater than 5 percent annually. AYP will be met if schools meet or exceed the standard or make improvement toward the standard.
How states are held accountable for teacher quality	Each state developed a plan to ensure that all teachers are "highly qualified" by no later than the end of the 2005–06 school year. By the end of May 2003, states must submit annual, measurable objectives for each local school district and school to ensure that they meet the "highly qualified" requirement.
Number of schools in need of improvement	States must provide to the U.S. Department of Education the update of the number of schools in need of improvement from the school year 2002–03 by the fall of 2003.

Sources: *State of West Virginia Consolidated State Application Accountability Workbook*. April 16, 2003, revision electronically transmitted from Deborah Brown (dsbrown@access.k12.wv.us), Executive Director, Office of Instructional Services at the West Virginia State Department of Education, April 16, 2003.

Appendix B: State Statistics Related to Secondary Schools

State	Grad Rates (1)	8th Graders Reading Below Basic (2)	Approx. # of Students Reading Below Basic (grades 6-12)	# of HS in State (3)	# HS in Need of Improvement (4)	# of All Schools Identified for Improvement (4)	% of All Schools Identified That Are HS	% of All HS Identified for Improvement	High Stakes Exit Exam? (5)
AL	66%	34%	128,000	273	16	57	28.07%	5.86%	Y
AK	61%	n/a	n/a	68	11	11	100.00%	16.18%	N
AZ	59%	27%	119,200	282	73	344	21.22%	25.89%	N
AR	75%	32%	76,000	318	0	0	n/a	0.00%	N
CA	66%	36%	1,106,300	1,667	157	1,009	15.56%	9.42%	N
CO	69%	24%	90,200	321	3	154	1.95%	0.93%	N
CT	76%	18%	51,700	182	0	28	0.00%	0.00%	N
DE	67%	34%	20,900	31	12	20	60.00%	38.71%	N
DC	58%	56%	14,400	18	7	12	58.33%	38.89%	N
FL	55%	35%	438,500	407	64	246	26.02%	15.72%	Y
GA	56%	32%	231,200	317	13	625	2.08%	4.10%	Y
HI	69%	40%	37,500	36	6	85	7.06%	16.67%	N
ID	79%	n/a	n/a	163	7	88	7.95%	4.29%	N
IL	77%	n/a	n/a	754	18	435	4.14%	2.39%	N
IN	73%	n/a	n/a	344	2	97	2.06%	0.58%	Y
IA	85%	n/a	n/a	365	0	26	0.00%	0.00%	N
KS	74%	19%	47,800	356	0	118	0.00%	0.00%	N
KY	71%	26%	88,100	288	2	107	1.87%	0.69%	N
LA	66%	36%	134,500	250	36	103	34.95%	14.40%	Y
ME	73%	16%	17,900	111	0	20	0.00%	0.00%	N
MD	72%	28%	123,000	201	1	118	0.85%	0.50%	Y
MA	73%	20%	100,600	305	2	259	0.77%	0.66%	N
MI	n/a	n/a	n/a	715	n/a	1,513	n/a	n/a	N
MN	80%	19%	90,100	634	n/a	79	n/a	n/a	Y
MS	63%	39%	94,400	184	3	122	2.46%	1.63%	Y
MO	75%	24%	113,800	495	7	63	11.11%	1.41%	N
MT	81%	17%	14,700	175	11	68	16.18%	6.29%	N
NE	84%	n/a	n/a	303	87	105	82.86%	28.71%	N
NV	60%	31%	52,400	100	0	19	0.00%	0.00%	Y
NH	69%	n/a	n/a	78	4	4	100.00%	5.13%	N
NJ	87%	n/a	n/a	366	4	274	1.46%	1.09%	Y
NM	64%	30%	51,100	148	13	63	20.63%	8.78%	Y
NY	64%	22%	310,800	777	61	529	11.53%	7.85%	Y
NC	63%	24%	157,600	337	4	17	23.53%	1.19%	Y
ND	86%	n/a	n/a	186	12	20	60.00%	6.45%	N
OH	76%	n/a	n/a	758	1	760	0.13%	0.13%	Y
OK	74%	20%	63,200	462	0	33	0.00%	0.00%	N
OR	66%	22%	64,900	234	3	9	33.33%	1.28%	N
PA	78%	n/a	n/a	608	30	256	11.72%	4.93%	N
RI	71%	26%	20,900	46	36	65	55.38%	78.26%	N
SC	59%	35%	122,000	200	26	31	83.87%	13.00%	Y
SD	83%	n/a	n/a	179	2	13	15.38%	1.12%	N
TN	60%	29%	129,900	276	16	132	12.12%	5.80%	Y
TX	67%	24%	489,600	1,368	24	121	19.83%	1.75%	Y
UT	86%	23%	57,200	158	3	22	13.64%	1.90%	N
VT	77%	n/a	n/a	48	10	28	35.71%	20.83%	N
VA	75%	22%	131,300	316	3	35	8.57%	0.95%	Y
WA	68%	23%	125,100	452	6	60	10.00%	1.33%	N
WV	83%	26%	39,200	129	0	13	0.00%	0.00%	N
WI	81%	21%	101,900	484	11	113	9.73%	2.27%	N
WY	80%	24%	12,300	76	0	0	n/a	0.00%	N
US Total	69%	28%	5,068,200	17,349	807	8,529	9.46%	4.65%	18 states

Sources

(1) Percentage of eighth-grade students graduating from high school five years later.
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Appendix C: Additional Sources of Information about NCLB

- Business Roundtable. (2002.) *Executive Summary of the No Child Left Behind Act of 2001.* Available at http://brt.org/toolkit/Appendices.html.
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Endnotes

[1] According to the Center on Budget and Policy Priorities, three out of four states cut education spending between 2001 and 2003 (http://www.cbpp.org/4-9-03sfp.htm.).

[2] The report does not address the many general requirements intended for all schools, districts, and states (for example, the development of state and district report cards). For excellent overviews of NCLB, consult the sources in Appendix C.

[3] All states have submitted plans, but only Colorado, Delaware, Indiana, Kansas, Maryland, Massachusetts, Mississippi, New York, Ohio, and West Virginia had approved plans as of April 11, 2003. The Department of Education expects to complete the rest of the reviews by the summer of 2003.

[4] Michigan does not have data available.

[5] Students with a GED are not considered, under NCLB, as high school graduates. Similarly, the U.S. military will only take a limited number of recruits with a GED degree. For example, according to William Kunish, chief of the education division for the U.S. Army, the Army will take up to only 10 percent of recruits with GED degrees.

[6] Rigorous state testing may consist of a passing level of performance on a state-required certification or licensing test or tests in each of the academic subjects in which the teacher teaches.

[7] Participation is conditioned on the federal government appropriating funds to pay the cost of administering the assessment.

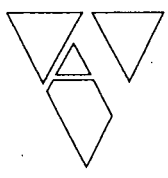
[8] The Unsafe School Choice Option (USCO)—section 9532 of NCLB—requires that each state establish and implement a statewide policy requiring that students attending a persistently dangerous public school, or students who become victims of a violent criminal offense while on the grounds of a public school they attend, be allowed to attend a safe public school. States must be prepared to implement the required transfers of students no later than the start of the 2003–04 school year (U.S. Department of Education, 2002).

[9] According to the U.S. Department of Education, states will be reporting schools in need of improvement identified for the 2002–03 school year in the fall of 2003.

[10] Michigan and Minnesota did not provide information.

[11] The Smaller Learning Communities Program falls under the "Fund for the Improvement of Education" in the No Child Left Behind Act, along with several other programs. For FY 2003, the "Fund for the Improvement of Education" is authorized at $575 million.

[12] The National Association of Secondary School Principals has focused awareness on this issue through a formal "Reciprocal Agreement" to policymakers. The Agreement highlights the fiscal, programmatic, and personnel resources required by secondary schools to improve student achievement and meet the federal requirements of NCLB.



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