

SCHOOL ACCOUNTABILITY UNDER NCLB: AMBITIOUS GOALS AND COMPETING SYSTEMS



In the spring of 1999 California lawmakers passed the Public Schools Accountability Act (PSAA). This sweeping piece of legislation sought to improve the academic performance of California's students by publicly rating and comparing schools based on student test scores and creating consequences for schools whose students did not make satisfactory progress. Phrases like Academic Performance Index (API), decile ranks, growth targets, and low-performing schools quickly permeated conversations about student performance in the state.

Three years later federal lawmakers passed the No Child Left Behind Act (NCLB), an effort to motivate states to strengthen their assessment and accountability systems. This law introduced separate consequences for schools and school districts if test scores for specific groups of their students (based on ethnicity, family income, English fluency, or disability) were below expectations. In the process it increased the pressure to improve schools. And it brought more new vocabulary, including phrases like adequate yearly progress, annual measurable objectives, and Program Improvement.

PSAA and NCLB both emphasize regular assessment of students and making the performance of schools very public. And both use California's very rigorous content standards as the basis for performance measurements. However, the two accountability systems are fundamentally different in the way they define school success. California's system uses a growth model for accountability, rewarding schools that show meaningful progress regardless of their starting point. The federal system gives little credit for growth. Instead it uses a "status model" that focuses on whether a specified percentage of students have attained proficiency in math and English in a given year. That percentage rises until 2013–14, when all students are expected to reach that level. Because the two systems use different metrics, a school can do well on one measure and not on the other.

Currently, schools and school districts in California are being judged based on both systems. The result, as described by the California Department of Education (CDE), is a "confusing and frustrating situation where one day a school is lauded for its performance gains and then on the next day condemned as a failure." The

CDE and some in the broader education community argue that these mixed messages confuse the public, undermine school efforts, and have the potential to seriously harm the credibility of both accountability systems.

State leaders are unwilling to simply abandon the original California approach to accountability, which they say the public and educators understand and have embraced. They also believe that it is better suited to the rigorous academic standards the state has adopted. When federal officials announced that they would give states more latitude in how they implemented NCLB, the CDE reacted by proposing to the State Board of Education that the state's growth model—with some modifications—should be the sole accountability system going forward. As the primary policy-setting body with respect to NCLB, the State Board of Education would have to approve any proposal to modify California's accountability provisions before the proposal could be submitted to the U.S. Department of Education.

This report describes the proposal that the California Department of Education has developed. It also provides

figure 1 | The California and federal accountability systems differ

	California's API System	Federal AYP System
The Key Measure	The Academic Performance Index (API): a single number index or score (between 200 and 1000) given to each school based on the distribution of scores on the state's tests across five performance levels and four core subject areas.	The annual measurable objective (AMO): The expected percentage of students in each subgroup scoring at proficient or above on tests in mathematics and reading/language arts.
The Basic Concept or Model for Improvement	A growth model: Each year, schools get a Base API score and an improvement goal ("growth target") based on how far their Base scores are from a statewide target (currently 800). Following the subsequent round of state tests, schools receive a Growth API that is compared to their growth target.	A status model: Every school is expected to have a minimum percentage of students in every numerically significant subgroup scoring at or above the proficient level that the state has set for each test and grade span. The expected percentage of students scoring proficient escalates over time to 100% by 2013–14.
What Constitutes Success	<p>Comparison to past performance: Showing sufficient improvement in schoolwide and subgroup API scores from the Base year to the Growth year ("meeting growth targets"). Currently, the schoolwide growth target is 5% of the difference between the Base score and state goal of 800. The subgroup target is 80% of the schoolwide target. (High scoring schools and subgroups have different requirements.)</p> <p>Comparisons to other schools: Statewide and "similar schools" rankings, both expressed in deciles from 1 to 10, with 10 being the best.</p>	<p>All student subgroups must meet the common targets (based on grade span of school): Failure of any subgroup in a school or district to meet 100% of the annual percent proficient target means that the school or district has not achieved AYP. (An exception is made for subgroups that show a specified level of improvement. This is known as "safe harbor.") Subgroups, schools, and districts must also test at least 95% of their students.</p> <p>Schools/districts must also satisfy minimum requirements on additional indicators: Each school and district must have an API of at least 590 or improve by one point, and those with high school students must also meet a minimum graduation rate or improvement in that rate.</p>
To Whom the System Applies	Schools , including significant student subgroups. In response to NCLB, the state began computing API scores for districts also.	Schools, districts, and the state , including numerically significant student subgroups for each.

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context for understanding that proposal by summarizing both the similarities and differences between the state and federal accountability systems, highlighting key issues in California and elsewhere in the country, and describing the likely next steps. Although the state has prevailed on some requests for flexibility under NCLB, the extent to which the federal government is willing to make further changes in its rules for California remains to be seen.

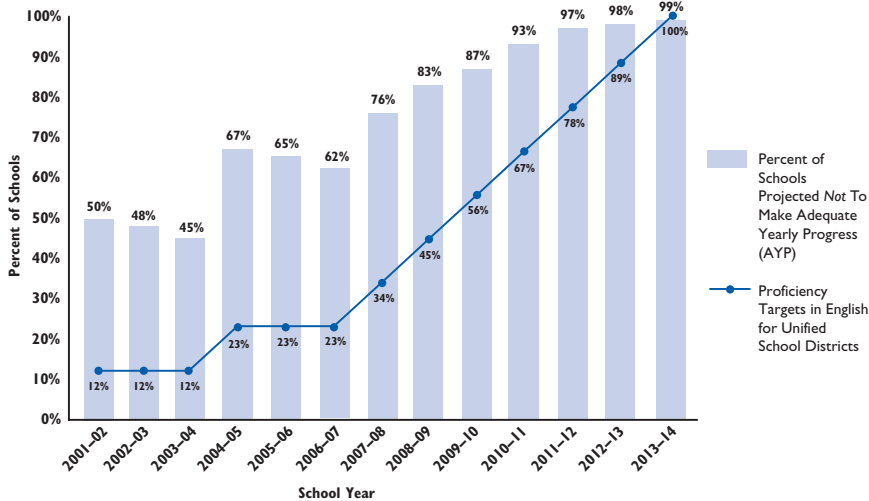
Operating two accountability systems has created problems in California

Signed by President George W. Bush in January 2002, the No Child Left Behind Act (NCLB) reauthorized a law originally enacted in 1965. The Elementary and Secondary Education Act (ESEA) was part of Lyndon B. Johnson's War on Poverty, and its core mission is to help disadvantaged students improve academically. Its cornerstone is the Title I program,

which provides funding for schools serving students from low-income families. Since the act's inception, Congress has reauthorized it roughly every five years.

The 2002 enactment of NCLB dramatically expanded the federal government's involvement in education. Its provisions affect nearly all children and schools and modify previous ESEA policies in a number of areas, from school safety to teacher quality to reading instruction. But NCLB's greatest

figure 2 The California Department of Education projects that a growing percentage of schools will not make adequate yearly progress (AYP) each year (Projections made in 2002)



DATA: CALIFORNIA DEPARTMENT OF EDUCATION (CDE) 2002 ESTIMATE

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impact may be on accountability for student performance on state tests. Any state accepting Basic Grant funds

under Title I must use scores from tests aligned to state content standards to develop a school accountability system, with the goal of having all students score “proficient” (as defined by each state) on state exams by 2013–14. Schools, student subgroups within schools, school districts, and the state as a whole must meet the same annual targets for adequate yearly progress (AYP).

States are under pressure to meet NCLB’s demands in part because they depend on Title I funding. It represents a small but meaningful percentage of the education budget (about 3% in California). Some state officials object to the strong conditions placed on a relatively modest sum of money. A handful of states have even considered foregoing the federal funding because of the program demands, but none has actually refused the money and the strings attached to it. As is discussed later in this report, however, some states are taking steps that could jeopardize their federal funds.

Policymakers from almost every state have objected to at least some of

the act’s provisions. When NCLB was first enacted, many saw the law as a huge set of new requirements to meet in a relatively short time frame with limited federal aid. However, for states like California with well-developed testing and accountability systems, the problem was how to maintain the systems they had already adopted while still complying with NCLB’s conditions. According to a 2004 *Education Week* survey of state policies, California is one of 21 states that is maintaining its own accountability system while also complying with the federal law.

Since 2003, California schools have had to meet growth targets under the state’s accountability system and ensure that every numerically significant student subgroup meets the participation and proficiency status targets required under NCLB. (See Figure 1 on page 2 for a summary of the measures used in both systems.)

NCLB’s different method of measuring school performance, stringent participation rate requirement, and escalating school performance targets have combined with California’s rigorous standard of proficiency to create serious problems for the clarity and credibility of both accountability systems. Under NCLB, the proportion of the state’s more than 9,000 public schools that have been labeled as “in need of improvement” is increasing rapidly. A total of 3,258 schools did not make AYP in 2004. As the state headed into the announcement of 2005 test results—when schools will have to show that about 23% of students in every subgroup are proficient in English and math under NCLB—it seemed likely that a large number of additional schools would miss their AYP goals.

As Figure 2 shows, state officials in 2002 estimated that approximately 67% of California schools would fail

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Participation rate requirements represent another important contradiction between the two systems

Both the state and federal accountability systems push schools to test 95% of their eligible students. However, each defines “eligible student” differently.

The federal system counts all students enrolled in a school as eligible, except in rare cases, such as when a student has a medical emergency. California state law, on the other hand, requires schools and districts to honor parent requests that their students not be tested; and the CDE originally did not consider the excused students as eligible when computing participation rates. The thinking was that schools should not be penalized for not testing a student when they had no control over parents’ decisions. However, if a school has so many opt-outs that the remaining students who take the tests are not representative of the school’s population, the CDE does not issue an API score to the school.

Under the same theory, the CDE also removed from the count students with disabilities whose Individualized Education Program (Special Education) exempted them from state tests. Federal policy under NCLB, however, requires those students to be counted as eligible. In response to this policy, CDE now calls for all students with IEPs to be tested unless a parent excuses the child.

Under the more rigid federal method of calculating participation rates, approximately 253 schools missed making AYP based on participation rates alone in 2003–04. However, in 2004 federal officials announced that they would be open to more flexibility regarding participation rates. In response, California proposed and federal officials agreed to allow averaging of participation rates over more than one year.

- **High API Elementary:** An API score of 812 put this school in the ninth decile (top 20% of all elementary schools in the state) for its 2003 Base API. Based on 2004 test scores, it met both its school-wide and subgroup API growth targets and thus was deemed successful based on the state measure. However, this school did not make adequate yearly progress because only 11.5% of its English learner subgroup scored proficient and above on the California Standards Test (CST) in English in 2004, missing the elementary school target of 13.6%.
- **Strong Subgroup Elementary:** An API score of 642 put this school in the second decile (bottom 20%) for its 2003 Base API. Based on 2004 test scores, it did not meet its growth targets and thus failed to satisfy the state’s measure of success. However, under the federal system, this school made AYP because all of its student subgroups met the proficiency targets for elementary schools of 13.6% for English and 16% for math on the 2004 CSTs.

Statewide data show that situations in which a school does well under one system but not the other are relatively common. For example in 2004, 37% of California’s Title I schools did not make federal AYP, but more than one-third of those schools met their API targets. And many of those schools exceeded their API targets by large margins. Critics of NCLB point to the incidence of schools improving greatly and still not meeting federal AYP criteria as evidence that NCLB’s provisions are overly rigorous—to the point of setting up schools to fail. Others see NCLB as a necessary antidote to the API system’s tolerance of small gains and persistent achievement gaps.

Many schools “in need of improvement” under the federal accountability model are considered successful under the state’s accountability system.

to make AYP in 2004–05. The figure also shows the CDE projected that 99% of the state’s schools would not satisfy the AYP performance criteria in 2013–14. Although these estimates did not reflect the more flexible approach to implementing NCLB that federal officials recently announced (discussed later in this report), the projections also did not incorporate factors that weigh against a school’s chances of making AYP, such as the strict participation rate requirement. With those two sets of factors balancing each other somewhat, Figure 2 shows the difficulty

that many schools will have in helping all students become proficient on California’s rigorous content standards if past trends are any indication.

However, many schools “in need of improvement” under the federal accountability model are considered successful under the state’s accountability system. Californians familiar with local schools have experienced these mixed messages firsthand. A given community may have schools that have had either of the following experiences. (The real names of the schools are not included, but the data are taken from real situations.)

State officials have proposed a return to the Academic Performance Index (API) only

The CDE cited the problem of contradictory results as a primary justification for its proposal to the State Board of Education (SBE) to use the API system as the sole measure for making adequate yearly progress. The CDE argued in a May 5, 2005, memo that Californians were already familiar and comfortable with the API and that the growth model was a better approach for California than the federal status model. Some in the education community also assert that there is a legitimate debate on whether education research supports the “status model” approach that the federal government has taken, as opposed to the “growth model” that California developed.

At the same time, state officials were clear in their support of the basic principles behind NCLB, as they described them:

- Establish rigorous academic standards.
- Implement assessments to measure whether students meet those standards.
- Set measurable performance goals for schools.
- Hold schools accountable for reaching those goals.
- Hold schools accountable for comparable improvement by student subgroups in meeting those goals.

This general agreement, however, did not deter state officials from making a strong defense for the state’s own system—with the API growth model—as the superior approach to accountability in California.

They did so in reaction to signals from Washington, D.C., that such an appeal might be given real consideration. Since becoming President Bush’s Secretary of Education in January 2005, Margaret Spellings has shown

Glossary of key terms used in this report

Academic Performance Index (API): California’s method of measuring the performance of districts, schools, and student subgroups on state tests taken each spring. Performance is summarized into one number that can range from 200 to 1000. The number is used to rank schools and set improvement goals known as “growth targets.” Scores are issued in two-year cycles, with the first year’s results forming Base scores, and the second year’s results used to compute Growth scores. The API was instituted as part of California’s Public Schools Accountability Act of 1999.

Adequate yearly progress (AYP): A measure of performance instituted by the federal Elementary and Secondary Education Act (ESEA). Until the 2001 reauthorization of the ESEA (known as the No Child Left Behind Act or NCLB), California used the API as the measure of adequate yearly progress. NCLB redefined adequate yearly progress to be success on a collection of indicators. California uses four indicators of AYP: 1) annual measurable objectives (defined below); 2) a minimum testing participation rate of 95%; 3) a threshold score, or improvement, on the Academic Performance Index; and 4) a minimum graduation rate or improvement in that rate.

Annual measurable objective (AMO): One of the AYP indicators. It is an interim goal toward the ultimate objective of having 100% of students proficient by 2013–14. In a given year, it is the percent of students expected to score proficient or above on tests aligned to a state’s content standards in math or English. The tests used for those purposes are the California Standards Tests (described below) for elementary and middle schools and the California High School Exit Exam for high schools. Within each school, the student body as a whole, and all student subgroups, are expected to meet the same AMOs.

Content standards: A set of skills and/or body of knowledge that a student is expected to master. California’s standards are specific to each subject and grade.

Standardized Testing and Reporting (STAR) program: A California assessment program in which students take standardized tests late in the academic year. Students’ scores on STAR tests form the major basis of API scores. (The California High School Exit Exam, which is not a part of STAR, also figures into high schools’ API scores.) The most important component of the STAR program is the set of **California Standards Tests (CSTs)**. Students in grades 2–11 take these tests, which are mostly multiple-choice except for writing tests in grades 4 and 7. The tests are based upon California’s content standards in English, math, science, and social science. (Not all students take tests in all subjects.) Students receive a score of advanced, proficient, basic, below basic, or far below basic in each subject.

a willingness to discuss significant changes to state accountability approaches under certain conditions. The flexibility likely reflects a recognition that it may not be realistic to expect that a specific percentage of all types of students in every school will reach proficiency in math and English in a given year. For example, students whose first language is not English and those who are classified as special-needs

students are put into those subgroups because they need extra support to attain proficiency. Even mainstream students may not be making the level of gains that NCLB’s supporters had hoped the law would prompt. (See the box on page I3.) In addition, protests from many states—including some lawsuits against the federal government—may have helped prod the secretary into granting more flexibility.

Student subgroups are an important part of accountability

In both the AYP and API systems, students are categorized into the following subgroups, with some students belonging to multiple groups:

- African American or Black
- American Indian or Alaska Native
- Asian
- Filipino
- Hispanic or Latino
- Pacific Islander
- White (not of Hispanic origin)
- Socioeconomically disadvantaged
- English learners
- Students with disabilities

A subgroup is “numerically significant” if it has 100 or more students, or 50 or more students who make up at least 15% of the number of valid scores.

In the federal AYP system, numerically significant subgroups must meet the same participation rate minimums and performance goals as the school as a whole. In contrast, the API system does not set subgroup participation minimums and currently requires that subgroups make only 80% of the growth that the school as a whole is expected to make.

The API system at least has longevity

Central to the state’s position is the assertion in the CDE memo that “California educators, parents, and members of the public view the API system as legitimate.”

It is likely true that California’s education community at this point may wish for a return to a time, just a few years ago, when schools only had to worry about making their growth targets. And certainly the system of Base and Growth API, decile rankings, and subgroup targets has become part of the common language regarding

schools in California. But the CDE could rightfully be accused of glossing over the chorus of complaints and the level of skepticism about the API system that existed in California prior to the advent of NCLB, and that will likely persist.

State leaders talk about the single-number indicator of school success—the Academic Performance Index score—as “a useful tool.” But boiling school performance down to one number has also been criticized as a blunt instrument with which to evaluate complex systems, obscuring meaningful differences among multiple-grade levels, subjects, and types of students. In addition, science and social science play a small role in the API scores for elementary and middle schools, which may encourage these schools to de-emphasize those subjects.

Furthermore, the state’s process of ranking schools into deciles has troubled some people because, by definition, there will always be a portion of schools at the bottom, even if they perform well. The de facto categorization of schools in the bottom deciles as low performing regardless of their improvement, for example, belies the value of the very growth model state officials have espoused.

The growth model may support the state’s high standards better

In arguing for the API system, the CDE states in its May 5, 2005, memo that “an effective accountability system encourages all schools to improve.” It also states that, at least in these early years of NCLB, the “federal status model is of limited application, particularly for schools in the middle or higher ranges of the performance spectrum.”

This is true, the state contends, because a relatively high performing school can easily make its proficiency

targets or annual measurable objectives (e.g., 23% of each student subgroup scoring proficient in math and English) without actually improving at all, and its performance could even decline. By contrast, the growth model in the API system creates the expectation that a school will improve or at least maintain its performance level, even if the only penalty for not doing so is “intense media and public scrutiny.” However, critics of the API system counter with examples of schools that have high API scores but do not meet the federal AYP criteria because they have subgroups that are not performing as well as the rest of the school.

State leaders also say that “the net effect of the system of annual status targets has been to encourage some states to adopt more lenient definitions of what students should know and be able to do.” In other words, they have a lower standard for what it means for a student to be “proficient.” To illustrate, consider the following, which is not an unusual example. In 2003, 30% of California’s eighth-graders scored proficient or above on the state’s standards-based test in reading while 88% of eighth-graders in Texas scored at the same level on their exam. One explanation could be that Texas students truly read far better than students in California. However, similar proportions of students in both states scored proficient or above on a national assessment of reading skills. (The proportions were 22% in California versus 26% in Texas.)

In addition, groups with very different perspectives agree that California’s academic content standards are among the most rigorous in the country. The conservative Fordham Foundation called California’s English standards “top notch” and its math standards “first rate.” In addition, the

more left-leaning American Federation of Teachers found California's standards "clear, specific, and grounded in content" and as meeting its criterion for strong standards. (See To Learn More on page I5 of this report.) Some believe that the state set its proficiency levels at a point so high that it is not realistic to expect all students to reach them.

It could be argued that California opted for rigorous content standards but also an accountability system that recognizes the improvement of students who do not master the standards. The state's API system measures growth among students of all ability levels but puts greatest emphasis on improvement by the lowest-performing students. This means that schools have a reason to try to help all students, but especially those who are struggling most. In addition, improvement in a single-subject area can also help a school meet its goals. Critics assert, however, that the growth targets set under the state's accountability system do not require schools to help all students become proficient and allow for too slow a rate of improvement.

These critics like NCLB's call for all students to achieve at a high level. They cite schools where all students excel despite great challenges as proof that all schools can achieve such success. The API's critics may be right: the API system may be too lenient, and NCLB's long-range targets may push schools to achieve something that many erroneously think is impossible.

But in the short run, NCLB may create an incentive for many schools to focus their improvement efforts only on students who score close to proficient. Getting those students over the bar would help the school the most with respect to making AYP.

The API's critics may be right: the API system may be too lenient, and NCLB's long-range targets may push schools to achieve something that many erroneously think is impossible.

But once the target is reached, further improvement does not add anything from an accountability perspective, at least in the short term. Schools can neglect the very highest- and lowest-performing students because the former are unlikely to fall below the proficient mark on their exams and the latter will probably not make it above the proficiency bar in a year's time, no matter how hard the school and student work.

However, the AYP system explicitly embodies the ideal that all students will be able to reach proficiency by 2013–14, while California's growth system is silent on that issue.

The state argues that under adequate yearly progress, intervention resources are spread too thin

Finally, the state argues that NCLB's status model—combined with the state's rigorous definition of proficiency—has resulted in many successful or improving schools and districts being identified for Program Improvement (PI). A Title I school enters Program Improvement when the school:

- Does not meet its annual measurable objectives (AMOs) or the minimum testing-participation rate in the same content area (English or math) for two years in a row; or
- Does not meet objectives on the "additional indicator(s)" for two years in a row. The school must attain a specific API score (590 in 2004–05) or improve by one point.

High schools must also have a graduation rate of 82.9% or show modest improvement according to a specified formula.

A school in Program Improvement faces interventions that grow more serious each year it misses AYP. And only by making AYP in two consecutive years can a school exit Program Improvement. Just turning around a school in that position is difficult, but performance targets that increase nearly every year make the challenge even harder.

The Program Improvement process for districts implemented in 2004–05 has also resulted in the placement of some relatively high-performing districts in PI. Among the districts labeled for Program Improvement are a number that have districtwide APIs above the state goal of 800, including Cupertino Union, Walnut Creek Elementary, Fremont Union High, and San Luis Coastal Unified school districts.

The CDE says that by ignoring academic growth, the AYP system overidentifies Program Improvement schools and districts with the result that already scarce resources are being spread too thin. A school identified for Program Improvement must use at least some of its Title I Basic Grant for teacher professional development, and the governing district must pay for transportation for pupils who exercise their option under NCLB to transfer to other schools. For Title I schools that repeatedly fail to make AYP, the governing district must also

State intervention programs have been running alongside—but more recently tripping over—Program Improvement under NCLB.

provide or pay for supplemental services for students who request them. However, if the governing district itself is identified for PI, it is ineligible to provide tutorial or supplemental services to students. Although some may agree with this policy, believing that a district that is “in need of improvement” is not qualified to offer such services, others may think that even a struggling district will have personnel who can offer sound academic help at less cost than another district or other external provider. Critics say that the rigid requirements of NCLB push schools and districts to allocate resources in ways that may not best address the problems they are having—or waste scarce intervention resources on schools already showing growth.

In addition, with ever more schools and districts entering Program Improvement for repeatedly not making AYP, the state must pass new laws and administrative regulations. California must also invest resources in an infrastructure for assistance teams to help schools and districts climb out of Program Improvement. Although the state has in a few instances taken over a district for fiscal mismanagement, the state has very little experience with intervening in districts purely for academic reasons. In the CDE’s view, schools, students, and the state would be better served if those resources were concentrated on the schools and districts that are unable to improve on their own.

Finally, only schools and districts that receive Title I Basic Grants for low-income students are eligible for

Program Improvement (PI) in California. That decision to apply the Program Improvement sanctions only to Title I schools may have also created some unintended consequences at the local level. Districts have some discretion in designating schools for Title I. The fact that only Title I schools face Program Improvement may cause some districts to rethink which schools they identify and how they distribute Title I funding. School Services of California, a Sacramento-based consulting and lobbying firm, reported in December 2004 that “according to a recent newspaper article, at least 445 schools statewide have avoided facing penalties by not accepting Title I grants.” These California districts are not alone; districts in other states—such as Virginia, Illinois, and Connecticut—have also shifted funds for the same reason.

About 15% of California school districts have been identified for Program Improvement

School districts and county offices of education (collectively referred to as Local Education Agencies or LEAs) enter Program Improvement in very much the same way as schools. If for each of two consecutive years the LEA does not make adequate yearly progress on the same indicator (e.g., the annual measurable objective in math), it enters Program Improvement. The criteria for districts are somewhat less stringent than for schools, however, because of recent federal action. LEAs will be exempt from Program Improvement if they can show that students in any of three specific grade spans (3–5, 6–8, or 10)

have in either year met the AYP indicator that the district as a whole failed. In addition, under flexibility granted by the U.S. Department of Education (U.S. DOE), districts that entered Program Improvement as a result of the 2004 AYP results, and that fail to make AYP in 2005, will not be subjected to Year 2 PI sanctions. California introduced Program Improvement for districts in 2004. So far, the state has identified 142 LEAs for PI.

Running multiple intervention programs has created complexity and confusion in California

California has also continued to operate its own intervention programs, developed as part of the Public Schools Accountability Act (PSAA). The Immediate Intervention/Underperforming Schools Program (II/USP) and High Priority Schools Grant Program (HPSGP) represent a first and second generation of state efforts to create voluntary systems that have given the state’s low-performing schools extra resources and technical assistance aimed at improvement. Originally, schools in these programs that failed to show a specified level of growth were to face interventions that could include being taken over by the state, which could reorganize or close the school. The state has softened its approach over time, creating options besides takeover, such as requiring intervention teams to turn around schools.

These state programs have been running alongside—but more recently tripping over—Program Improvement (PI). The federal PI program, with its language about adequate yearly progress, has actually existed for several years. The terminology became more visible only after NCLB created a new way of measuring progress. Prior to NCLB, California monitored Title I

figure 3 | **The percent of schools making API targets in 2004 would decrease if the proposed change were implemented**

Type of School	Under Current Model 5% schoolwide target, subgroups at 80% of schoolwide target	Proposed Model 1 10% schoolwide target, subgroups at 80% of schoolwide target
Elementary	46%	40%
Middle schools	55%	43%
High schools	50%	40%
All schools	48%	41%

DATA: CALIFORNIA DEPARTMENT OF EDUCATION (CDE) MEMORANDUM TO THE STATE BOARD OF EDUCATION, MAY 2005

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schools for adequate yearly progress based on whether schools met API growth targets. Eligibility for Program Improvement and II/USP were thus very similar. Many schools were simultaneously in both programs.

This is still true today. However, the overlap of the programs is becoming more problematic because the API and AYP measures—and therefore the triggers for entering and exiting the state and federal programs—are different. The programs also operate on different timelines and have different planning and resource allocation requirements. As a result, the state and federal intervention programs have become a difficult maze for schools to navigate and for state and district officials to administer.

State officials suggest changes to address critiques of the API system

The CDE assumes that the U.S. DOE would not allow the state to use the current API system to measure progress and has therefore proposed that the State Board of Education adopt modifications to the API system. (Some changes could need the approval of the state Legislature as well.) The proposed modifications attempt to address some ongoing criticisms of the state's growth model.

Among the most vocal critics are The Education Trust—West and California Business for Education Excellence. In a September 2004 study entitled “How California’s Academic

The California Department of Education acknowledges critics who say the state’s API performance goals and targets “are not rigorous enough in the rate of improvement that is required.”

‘Growth Model’ Hides Achievement Gaps,” they assert that the state’s API system makes it possible for schools to meet growth targets without appropriately addressing achievement gaps among student subgroups. They also say that the state accountability system as it is now configured would allow schools to continue with unequal student outcomes for too long because subgroups of students need to achieve only 80% of the schoolwide growth target.

At the May 2005 meeting of the State Board, CDE staff presented three proposals for modifying the API system. Some of the ideas would require legislative action to amend the PSAA. These proposals address the critiques that both these advocacy

groups and federal officials have aimed at the current system. They fall into three general categories, addressing the questions of rigor, achievement gaps, and district accountability.

Proposed change would increase the rigor of statewide goals

In its proposal to the State Board, the CDE acknowledges critics who say the state’s API performance goals and targets “are not rigorous enough in the rate of improvement that is required.” Currently, schools have to progress 5% toward the state’s goal of 800 each year. That means, for example, that a school with a 600 API is 200 points below the goal; thus its growth target is 5% of 200—or an improvement of 10 API points.

The CDE is proposing two changes to ratchet up this requirement. One would be to raise the statewide performance target above 800, toward an eventual goal of 875. Presumably this change would be phased in over time.

The other change would be a new API model that requires schools to improve by 10% each year instead of 5%. Figure 3 shows how that change alone would have resulted in 7% fewer schools making their API targets in 2004 and that different school types would be affected differently.

Higher subgroup targets could more effectively address the achievement gap

CDE officials have proposed a second API model that not only increases the

figure 4 | This median API school's new growth targets will be tougher to reach

Pioneer Elementary School of the Weaver Union Elementary School District in Merced County had a 2004 Base API of 735 (the median score for the state's elementary schools). It has four significant subgroups: Asian American, Hispanic, white, and socioeconomically disadvantaged. Under the current rules, it has been assigned a schoolwide growth target of three points. (Five percent of the difference between 735 and 800 is three.) All of its subgroups, despite the fact that they have varying Base scores, have been assigned the same growth target—two points. (Two is the whole number that comes closest to 80% of the schoolwide target of three.)

Under one of the proposed models, the school would have to gain seven points and the subgroups' targets would vary from one to 11 points, as shown in the table below. (Growth targets for both the school and the subgroups are 10% of the difference between the Base score and 800. For example, 10% of [800-735] \approx 7.)

API Growth Targets for Pioneer Elementary School's Subgroups

School or Subgroup	2004 Base API Score	Growth Target Under Current API Model 5% schoolwide target, subgroups at 80% of schoolwide target	Growth Target Under Proposed API Model 10% schoolwide and subgroup targets
Pioneer Elementary School	735	3	7
Asian American	687	2	11
Hispanic	726	2	7
White	793	2	1
Socioeconomically disadvantaged	715	2	9

DATA: CALIFORNIA DEPARTMENT OF EDUCATION (CDE)

EDSOURCE 8/05

rigor, but also addresses the concerns about achievement gaps. Federal officials expect the state to track the progress of all students as well as that of 10 separate student subgroups, per the list in the box on page 6. For a school, a subgroup qualifies as numerically significant if it represents 100 students or at least 15% of the students in a school (with a minimum of 50 students). The state set this definition of subgroup size, which grew out of what was used in the state's original accountability system. (Federal officials allowed states to take a number of approaches to the definition of subgroup size.) Under the current API system, if the school must improve by 10 points, the target for all of its subgroups is eight points—even if a particular subgroup's Base score is well below the schoolwide average.

Under this proposal, expectations for subgroup improvement would be

set just like those for a school as a whole. In other words, each subgroup's growth target would depend on how far its Base score is away from the state goal, which is currently 800. If this system were put into place—along with the increase from 5% to 10% when calculating growth targets as described above—it could further reduce the number of schools in California that make their API targets. The CDE estimates that only about 37% of schools would have made their targets in 2004 under this scenario.

The CDE's third model would add to the 10% target a minimum expectation of five points annual growth in a school's API, which would increase the schoolwide targets for very high-performing schools. For example, a school with a Base API of 790 would see its growth target go from one point to five points. With that further modi-

fication, the projected success rate drops by another percentage point. Figure 4 illustrates how these changes might affect a school in the middle of the API rankings.

A proposed growth target for districts is meant to increase their accountability

A substantive conflict between federal expectations and California's existing accountability system is the absence of school districts from the state's growth model. In response to NCLB requirements—but without drawing much attention to it—state officials calculated an Academic Performance Index for school districts and county offices in 2003 and set modest targets of a 560 API score (which increased to 590 in 2004-05) or one point of growth. By taking that action, state officials were able to use the API as an addi-

tional indicator in the new AYP system for districts.

In 2004 the state introduced its Program Improvement system for districts, though not without conflicts with the U.S. DOE. Under the first state proposal, an LEA could avoid Program Improvement even if for two consecutive years it did not make AYP if its socioeconomically disadvantaged subgroup had an API of at least 560. Because this subgroup in the vast majority of districts cleared the API hurdle, only 14 LEAs entered Program Improvement under these rules.

Federal officials objected, first requiring the state to essentially drop the subgroup API as a criterion on its own. That would have placed more than 300 LEAs into Program Improvement, a very difficult number for the state to manage. In March 2005 state and federal leaders set the “grade span” policy outlined above (see page 8). However, it seems likely that the state will need to set API growth targets for districts in order to secure approval from federal officials to use a modified API system to measure AYP.

Federal officials are reviewing the state's formal proposal for more flexibility

Each spring the State Board of Education submits to the U.S. DOE its proposed amendments to California's Accountability Workbook, which officially documents how the state will implement NCLB's accountability provisions. Negotiations then occur between state and federal officials. In 2004 California's negotiations lasted six months, and federal officials did not grant all the state's requests. The CDE proposal to use a modified API as the measure of AYP (discussed above) has not been offered as a set of amendments to the workbook. However, the State Board has sent a signal to federal officials that it wants to explore the idea.

Accommodation on Special Education criteria begins in 2005

Schools that do not make AYP solely because of their students-with-disabilities (SWD) subgroup will get an adjustment to the percent proficient in that subgroup. The adjustment will be uniform for all schools in that situation. The state will divide 2.0 by the percentage of students who have disabilities and add the result to the percentage of SWD who score proficient or above. So, for example, if 10% of students statewide have disabilities, 2.0 would be divided by 10, which would yield 0.20 or 20%. A school would then have 20 percentage points added to the SWD subgroup's percent proficient to arrive at the adjusted figure. If the adjusted figure exceeded the annual measurable objective (AMO), the subgroup, and thus the school, would be deemed to have met its AMOs. To put this in context, the proficiency targets for elementary and middle schools in 2005 were 24.4% in English and 26.5% in math.

The board has also submitted a formal proposal to the U.S. DOE to modify the Accountability Workbook in a number of other ways. On July 28, 2005, federal officials responded by approving most of the amendments submitted by the state.

Modified assessments can be used for some students receiving Special Education services

NCLB's requirement that all students in every subgroup meet the same annual measurable objectives (proficiency targets) may be a desirable goal. However, it may also be particularly unrealistic for subgroups—such as students with disabilities—that are

the performance targets for students with disabilities. On April 7, 2005, Secretary Spellings announced that states could use modified assessments for their students with persistent academic disabilities who need more time and instruction to make substantial progress toward grade-level achievement. The federal government is also providing some financial support for the development of these assessments nationwide. The modified tests can be used for only 2% of a state's students. That is in addition to the current regulation allowing 1% of all students (those with severe cognitive disabilities) to take an “alternate”

School officials were pleased when the U.S. Department of Education agreed to some flexibility in the performance targets for students with disabilities.

defined in part by the fact that the students have difficulty performing at a proficient level. In the 2004 AYP results, 197 schools (2% of all schools) met all of the requirements *except for* the annual measurable objective for students with disabilities.

Many school officials were therefore pleased when the U.S. DOE recently agreed to some flexibility in

assessment, which tests knowledge of the basic building blocks of the state's content standards. Some Special Education advocates have expressed concern that this would mean that 30% of students with disabilities would be held to a different standard. (About 11% of California students receive Special Education services.)

NCLB allows states to test ELs in their native language for the first three years that they attend U.S. schools and grants discretion to test a student in his/her native language for up to two additional years if a district believes that is appropriate for the individual student. This is an option that California has not taken.

While California begins developing modified assessments and exams over the next year or so, it will operate under an interim approach that the U.S. DOE suggested. Schools that do not make AYP solely because of their students-with-disabilities (SWD) subgroup will get an adjustment to the percent proficient in that subgroup. (See the box on page 11 for a description of how the formula works.) This policy applies to the 2004–05 school year and is reflected in the August 2005 AYP results.

NCLB raises other thorny issues, such as the testing of English learners, funding, and determining graduation rates

The substantive changes and pending discussions already described in this report make it clear that schools and school districts can expect continuing modifications in how the NCLB accountability system in California operates. That said, Californians at both the state and local levels—and their counterparts throughout the country—are still hoping for serious discussions on other issues of concern.

Testing of English learners remains contentious in California

The testing of English learners (ELs) has been a controversial issue in California since the state began administering standardized tests in the 1970s. More recently, in the late

1990s, plaintiffs brought suit against the state policy of administering STAR tests in English to students with limited English proficiency. However, the case was settled such that the state was allowed to continue testing all students in English, regardless of their English-speaking ability. When the state crafted its API system, however, it did not include in the API calculation the scores of students in their first year in a district. The thinking behind that policy was that a school should not be held accountable for the scores of students who had not been exposed to the governing district's program for at least a year.

With the advent of NCLB, those regulations were changed. If students were at school in October of a given academic year, schools were held accountable for their scores both under the state API and federal AYP. At the same time, however, NCLB allows states to test ELs in their native language for the first three years that they attend U.S. schools and grants discretion to test a student in his/her native language for up to two additional years if a district believes that is appropriate for the individual student. This is an option that California has not taken.

Ten California school districts have filed suit against the state over the state's approach to EL testing because it has not exercised those testing options for English learners. Plaintiffs contend that school districts with large percentages of ELs are not meet-

ing NCLB's performance objectives because the state tests all children for academic knowledge in English. The districts assert that California is not complying with the federal law's mandate to test ELs in a "valid and reliable manner" and, "to the extent practicable," in a "language and form most likely to yield accurate data on what students know and can do."

Hilary McLean, spokesperson for Superintendent of Public Instruction Jack O'Connell, has responded that the most practicable approach is to provide the test in English, especially when testing students' English language arts skills. She has also said that it would not be fair to create a test in some languages and not others and that creating tests in all native languages would be complex and costly. In California, about 85% of all EL students speak Spanish, but more than 80 languages are spoken by the other 15% of English learners. (Vietnamese, the most common home language after Spanish, is spoken by 2% of ELs.)

According to *Education Week*, only 14 states have assessments in students' native languages, including some states that have simply translated their tests from English to another language—usually Spanish. Of those 14 states, 11 use such tests statewide and as part of their accountability systems.

Other states are focused on funding

When President Bush signed NCLB into law, most states had some type of statewide assessment system and many—like California—had already developed an accountability system in which schools were publicly rated and/or ranked. However, few states, if any, disaggregated and reported scores for *all* the student subgroups that NCLB requires—seven ethnic groups plus socioeconomically disadvantaged, special-needs, and non-English profi-

cient students. And few, if any, states tested all the students in all the subjects at all the grade levels that NCLB requires. The costs involved in meeting these new federal requirements have been a focal point for complaints—and in some cases legal action—among state and district officials who believe that NCLB overreaches.

Last year, the California Legislature passed a resolution urging the president and the Congress to fully fund the requirements of NCLB for the life of the act. The resolution further urged Congress to amend the NCLB Act to permit a range of accountability models and some other changes.

The state of Utah has been particularly vocal in its objections to NCLB. Legislation enacted there in April 2005 ordered state officials to ignore provisions of the federal law that conflict with Utah's education goals or that require state financing. Not complying with NCLB's demands could cost that state about \$76 million of its \$106 million in federal aid.

Utah is not alone in taking formal action against the federal government, and criticism does not come from just one political party or one region of the country. Democrats tend to complain that the federal government does not provide enough funding for states to implement NCLB's provisions, while Republicans often see it as a federal intrusion into states' rights. Vermont passed a law in 2003 refusing to implement unfunded federal mandates. Legislators in Arizona and Minnesota have introduced bills that would allow the states to reject parts of the federal law or opt out of it. At least 10 other states, including Virginia and Washington, have adopted resolutions criticizing NCLB or requesting waivers from the U.S. DOE.

Is NCLB working?

Recent studies highlighted below are examples of efforts to determine how well accountability is working.

The Education Trust, which says its mission includes “forever closing the achievement gaps that separate low-income students and students of color from other youth,” published a report in October 2004 showing mixed results among states on student performance and achievement gaps. (See: www2.edtrust.org/edtrust/images/MeasuredProgress.doc.pdf)

The Center on Education Policy, which bills itself as “a national, independent advocate for public education and for more effective public schools,” surveyed state education officials from across the country and published its findings in March 2005. A significant majority of states reported widespread academic progress and a narrowing of the achievement gap. (A three-page press release is available at www.ctredpol.org/pubs/nclb3/press/nclb3press.pdf, and the full report can be found at www.ctredpol.org/pubs/nclb3/press/cep-nclb3_21Mar2005.pdf.)

The Northwest Evaluation Association (NWEA), a national nonprofit that provides pupil assessments, educator training, and consulting, drew upon test data from more than 320,000 students in 23 states—a sample it calls “broad but not nationally representative” in part because the biggest cities were not included. It found that academic growth that students experience in a given year has slowed in recent years. In addition, NWEA projects that the achievement gap could soon widen. (See: www.nwea.org/research/nclbstudy.asp)

The **National Assessment of Educational Progress (NAEP)** tests different sets of students every few years on substantially the same questions in math and reading. Tests are administered to 9-, 13-, and 17-year-olds. They were first given in English in 1971 and in math in 1973. The 2004 results were released in July 2005, and the largely positive results have been offered by the Bush Administration as evidence that NCLB's emphases on accountability for results and closing achievement gaps among ethnic groups are working. In math, the 9- and 13-year-olds of 2004 outperformed their counterparts in every previous test administration by a statistically significant margin. Scores for 17-year-olds were relatively unchanged, however. In reading, 9-year-olds showed strong gains while 13- and 17-year-olds performed very similarly to their counterparts in past test administrations. In both subjects, the gap in achievement between white students on one hand and African American and Hispanic students on the other generally decreased as compared to when the tests were first administered. (To learn more, see: <http://nces.ed.gov/nationsreportcard/ltt/results2004>)

Many Children Left Behind: How the No Child Left Behind Act Is Damaging Our Children and Our Schools, edited by Deborah Meier and George Wood, published by Beacon Press, Boston, 2004. This collection of essays by professors and K-12 educators raises important questions about the implementation of NCLB, particularly in regard to test scores and consequences for schools that serve poor and minority students. It also provides thoughtful suggestions for alternative approaches to school accountability that might more effectively further the goal of leaving no child behind.

Although some are challenging NCLB through legislation, others are using the courts. Wisconsin Attorney General Peg Lautenschlager helped set these court challenges in motion in

May 2004 when she issued an opinion finding that the federal government is requiring state governments to spend their own money to implement the law, in violation of federal statutes and

The federal government recently announced an effort to make graduation rates across states comparable and to nudge states along in their attempts to create accurate rates.

the U.S. Constitution. NCLB itself contains a paragraph that says that no state or school district can be forced to spend its own money on provisions of the law that the federal government has not funded.

Just over a year later, nine school districts from three states (Michigan, Texas, and Vermont), representing a diverse set of students, joined the National Education Association (NEA), the nation's largest teachers' union, as plaintiffs in a lawsuit against the U.S. DOE. The aim of the suit is to free schools from complying with any part of NCLB that the federal government is not funding. Plaintiffs accuse the federal government of shortchanging schools by at least \$27 billion, the difference between what Congress has authorized and what the government has actually spent.

About the same time that the NEA filed its lawsuit, Connecticut became the first state to announce it would sue the federal government over NCLB and invited other states to join. Like the NEA-led effort, Connecticut's approach is based on the argument that NCLB does not cover the cost of its required activities. The two efforts are also similar in that they face procedural obstacles that may prevent the suits from ever being heard.

Meanwhile, Maine is poised to file a similar lawsuit, pending the outcome of a study on the cost of NCLB's testing requirements. As in Connecticut and other states, deciding which costs are due to federal requirements versus

what the state would have spent anyway to live up to its own laws is no easy matter and is part of the debate between state and federal officials.

A May 2003 report by the U.S. Government Accountability Office (GAO) estimated that just the testing required by NCLB would cost states collectively between \$1.9 billion and \$5.3 billion through 2010. The variation depended on the extent to which states used purely multiple-choice tests or assessments with more open responses, such as essays. The federal budget has provided roughly \$2.4 billion a year for testing—more than the low estimate. Thus, if the GAO's estimates are correct, the federal government is providing enough funding for states to use primarily multiple-choice tests, with some opportunities for students to work on more open-ended questions. However, some states already had in place testing systems that were richer in open-ended questions. For states to maintain that mixture but expand testing to all grades and subjects required by NCLB, it would cost about \$3.9 billion, according to the GAO.

Lawyers with the federal Department of Justice have formally replied to these various challenges by saying that Congress conditioned federal aid to states and districts upon their meeting the law's obligations, which could entail spending their own money. The federal government asserts that states and districts that want to avoid NCLB's requirements may decline federal funding or advocate for more

of it, but they should not continue to take federal dollars and not meet all the statutory conditions.

In addition, federal officials have said that funding for NCLB programs increased 40% since Bush took office, from \$17.4 billion to \$24.4 billion. They also state that four studies conclude that the law is appropriately funded and not a mandate. (For more information, see To Learn More on page I5.)

NCLB requires improvement in high school graduation rates

NCLB attempts to hold high schools and school districts accountable for the percentage of students who graduate. High schools must achieve a minimum graduation rate or show a modest level of improvement in order to make AYP. (Some high schools, such as juvenile court schools, focus on preparing students for return to conventional schools. Those specialty schools are assigned the district or countywide graduation rate.)

Finding an accurate and consistent method for calculating the graduation rate is a nationwide problem. With California's large population and migration rates, along with the absence of a statewide data system that tracks individual students using a unique identifier for each student (something akin to a Social Security number), it is especially difficult to produce reliable graduation rates here. Currently, the state is using a method that the National Center for Education Statistics developed. For a given year, the number of graduates is divided by the graduates plus dropouts from that year and the three previous years.

Other states have approached this calculation in a variety of ways, which has led to confusion and an inability to compare graduation rates across states.

Furthermore, the absence of accurate data about students who leave school makes it difficult to determine effective strategies for ensuring that they stay. To address these problems, governors from virtually every state have committed to use a common method of calculating graduation rates, in which the number of students earning a diploma on time is divided by the number of first-time entering ninth graders four years earlier, with adjustments made for students transferring in and out of the system. They agreed to a number of other steps aimed at shoring up states' ability to track outcomes of students from preschool through postsecondary education. (See To Learn More.)

Meanwhile, the federal government recently announced an effort to make graduation rates across states comparable and to nudge states along in their attempts to create accurate rates. The U.S. DOE will be calculating an unofficial Averaged Freshman Graduation Rate for all states and will publish that rate alongside states' currently reported graduation rates under NCLB. This averaged rate—which is similar to the governors' approach—is the number of high school graduates receiving a regular diploma in a given year divided by the average of the number of students enrolled in 8th grade five years earlier, 9th grade four years earlier, and 10th grade three years earlier. The U.S. DOE states that this rate has been shown to track very closely with true graduation rates.

Are accountability systems improving student performance?

The API system initiated by the state and the AYP method called for in the federal NCLB Act have much in common. Under both systems, performance of schools and student

To Learn More

The U.S. Department of Education's website promotes the No Child Left Behind Act and has a great deal of information on its implementation. The website positions NCLB as an initiative of President George W. Bush and is slanted favorably toward the act. (See: www.ed.gov/nclb/landing.jhtml?src=pb)

To learn more about the studies that the U.S. DOE cites to bolster its argument that NCLB is appropriately funded and not a mandate, see:

- “No Money Left Behind: The True Costs of School Accountability” by James Peyser and Robert Costrell. *Education Next*, Hoover Institution, Stanford University, Spring 2004. (See: www.educationnext.org/20042/22.html)
- *Estimated Cost of the Testing Requirements in the No Child Left Behind Act* by Theodor Rebarber and Thomson W. McFarland. Presented at the Education Leaders Council Test Summit, Accountability Works, February 2002. (See: www.accountabilityworks.org/publications/no_child_left_behind_test_costs.pdf)
- *Financial Impact of the No Child Left Behind Act on the State of New Hampshire & Review of the Cost Analysis of the NHSAA* by Meave O'Marah and Theodor Rebarber. The Josiah Bartlett Center for Public Policy and Accountability Works, February 2003. (See: www.jbartlett.org/pdf/NCLB_Report.pdf)
- *Title I: Characteristics of Tests Will Influence Expenses; Information Sharing May Help States Realize Efficiencies* by the U.S. General Accounting Office, May 2003. (See: www.gao.gov/new.items/d03389.pdf)

To see the Fordham Foundation's 2005 ratings of states' content standards, go to: www.edexcellence.net/foundation/global/page.cfm?id=304

To see the American Federation of Teachers' report titled *Making Standards Matter 2001*, go to www.aft.org/pubs-reports/downloads/teachers/msm2001.pdf. The report includes a state-by-state analysis of each state's standards, curriculum, assessments, accountability, and the overall coherence of those pieces.

To read a critique of the state's definition of “proficient” for NCLB's purposes, see the following report (pages 27–29) by the Legislative Analyst's Office: www.lao.ca.gov/2005/high_schools/improving_hs_050905.pdf

To learn more about the governors' compact on graduation rates, go to: www.nga.org/Files/pdf/0507gradcompact.pdf

Also see a January 2004 EdSource report, *No Child Left Behind in California? The Impact of the Federal NCLB Act So Far* at: www.edsource.org/pub_abs_nclb03.cfm

subgroups on the state's standards-based tests are measured and publicly reported to shine a spotlight on how actual performance compares to community expectations and to targets set by state policymakers. In addition, both systems encourage schools to test all their students or at least ensure that no group of students is systematically excluded. And both systems require official intervention in schools that accept specific program funds and do not meet performance targets.

But as this report has outlined, the two systems also differ in significant ways and send mixed messages about which schools and districts are succeeding. Those differences could threaten the credibility of the accountability effort as a whole, a possibility that seems more likely as the expectations rise and the pressure on local schools increases.

One factor that could significantly mitigate that possibility is the recent change in U.S. DOE's attitude toward

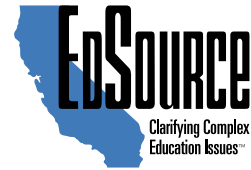
Come spring 2006, the State Board will undoubtedly submit some proposed amendments to the state's NCLB Accountability Workbook that will then undergo a months-long review process by federal officials. It remains unclear whether the most serious conflicts between the state and federal accountability systems can be resolved, however.

states' approaches to accountability. Spellings announced in April 2005 that states would have additional alternatives and flexibility in how they implement NCLB's entire accountability framework if they can show that they are raising student achievement and closing the achievement gap. She did, however, state that "the bright lines of the statute" were not up for negotiation. Examples included annual testing, reporting results by student subgroups, improving teacher quality, and informing parents about school performance and the option to transfer their students from Program Improvement schools. In addition, federal funding is still conditioned on states' commitment to help all students attain proficiency by 2013–14.

Spellings has said publicly that she would consider allowing states to use growth models that reward schools when students make significant progress. This statement helped spur the California Department of Education to draft its latest proposal. During the next seven months, California's education leaders will consider that plan and others as they work toward a formal proposal to amend the state's Accountability Workbook in 2006. Forthcom-

ing guidance from a recently formed federal panel on growth models will indicate how that plan would be viewed by the U.S. DOE and could drive modifications to it. In addition, advocacy and stakeholder groups will weigh in and try to influence what the State Board of Education ultimately submits to the federal government for approval. Come spring 2006, the State Board will undoubtedly submit some proposed amendments that will then undergo a months-long review process by federal officials. It remains unclear whether the most serious conflicts between the state and federal accountability systems can be resolved, however.

These discussions about the working of NCLB can also provide an opportunity to look beyond the details of the system and examine its important underlying assumptions. As the box on page 13 makes clear, many researchers, education leaders, and policymakers are continuing to evaluate and discuss the merits of high-stakes accountability generally and of NCLB in particular. The key question remains: Are these systems of testing and accountability helping improve the education of young people in California and the nation? ■



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