



A Union of Professionals

NCLB:

Let's Get It Right

AFT's recommendations for
No Child Left Behind



“Where provisions work against—not for—students and schools, the AFT is working to change them. We will continue working with Congress, the U.S. Department of Education and others to ensure that NCLB’s promised benefits reach every child.”

EDWARD J. McELROY

AFT President

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THE AMERICAN FEDERATION OF TEACHERS (AFT) has long been a leader in the call for higher academic standards, closing the achievement gap, meaningful accountability and well-qualified school staff. When the Elementary and Secondary Education Act (ESEA) was reauthorized as the No Child Left Behind Act (NCLB) in 2002, the AFT hoped that the law would advance these goals.

Unfortunately, flaws in the law are undercutting its original promise. The AFT offers the following recommendations we believe will help fulfill the promise of ESEA's commitment to disadvantaged students.

AFT's recommendations to improve NCLB focus on four areas:

- Assessment and Accountability
- School Improvement Interventions
- Staffing Schools
- Funding and Systemwide Accountability

Assessment and Accountability

Let's Get It Right

The law's mechanism for holding schools accountable—the adequate yearly progress (AYP) formula—does not fully recognize gains in student achievement that schools starting furthest behind are really making, and labels them as failures for not reaching an arbitrary proficiency level. Because AYP is neither fair nor accurate, the credibility of NCLB's accountability system is compromised.

RECOMMENDATIONS:

1. Implement an accountability system that gives credit for progress and/or proficiency.

Rationale: Currently, NCLB only allows a school to make adequate yearly progress (AYP) if a certain percentage of students overall, and a certain percentage of students in each subgroup, achieve an arbitrary level of proficiency. In practice, this means that even schools progressing significantly can be labeled as failing. This model adversely affects schools with large numbers of disadvantaged students, many of whom may start off academically behind. A system that gives credit for progress, in addition to proficiency, acknowledges the effectiveness of schools that improve even if they fall short of arbitrary proficiency benchmarks. Progress goals should be set at ambitious but attainable levels.

2. Create levels for making AYP that distinguish struggling schools from those needing limited assistance.

Rationale: Currently, NCLB treats all schools that fail to make AYP the same in terms of intervention strategies. We need a system that distinguishes struggling schools from those that may need some assistance focused on particular subgroups. A system that can make this distinction between schools needing a lot of assistance and those needing limited assistance will allow supports and financial resources to be targeted appropriately.

3. Prohibit unnecessary and duplicative student testing.

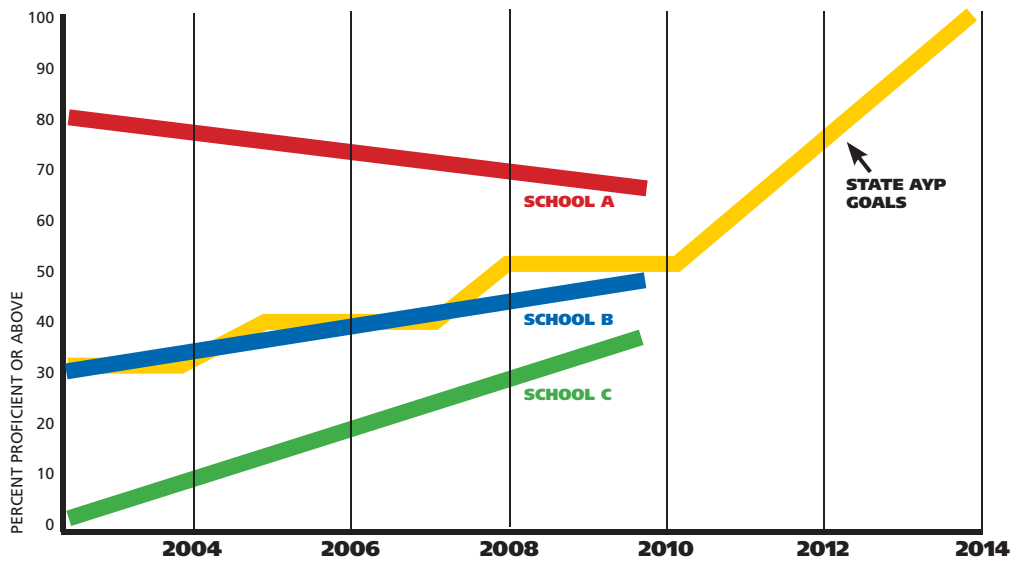
Rationale: Many states and districts add NCLB requirements onto an already overburdened testing schedule. States and districts should be required to audit their testing programs to prohibit them from layering unnecessary and duplicative tests on schools. Valuable instructional time in classrooms is lost to testing that is redundant or fails to yield timely or useful information.

4. Reduce schools' exclusive focus on reading and math.

Rationale: Research has identified serious unintended consequences of high-stakes testing in only reading and math, which excludes other subject areas. First, teachers in many districts report that the curriculum has been narrowed to address only reading

Which One is the Failing School?

ADEQUATE YEARLY PROGRESS IN NCLB



SOURCE: Robert Linn, University of Colorado at Boulder, National Center for Research on Evaluation, Standards and Student Testing (CREST), presentation made at the ETS 2003 Invitational Conference, New York City, October 3, 2003.

Q. Which of these schools will NCLB label as failing?

- A. School A
- B. School B
- C. School C
- D. All of the above

A. D. All of the above

Sooner or later, all these schools will fail to meet the state's annual target for adequate yearly progress (AYP)—and that's even before the performance of different subgroups of students is considered.

Under NCLB's formula, schools whose students are way behind from the start get sanctioned quickly, even if they're making impressive gains. In fact, to hit AYP targets, most of these schools would have to increase test scores at a rate that's never been attained by even the "best" schools.

Is it fair to stigmatize schools that are behind from the start, even when they're making real progress? Shouldn't improvement be recognized and rewarded? And shouldn't the high goals we set for students and schools be attainable rather than impossibly challenging?



and math. Social studies, science, art, music and physical education are pushed aside. Accountability should not drive schools to reduce meaningful instruction in curricular areas that are not included in high-stakes accountability systems. Second, much of the extended time for reading and math instruction is devoted to test preparation drill instead of high-quality reading and math instruction. If students are very far behind, they should be provided opportunities for additional intensive math or reading instruction that is integrated with their other content areas, rather than stealing time from these subject areas.

5. Require that assessment data be provided to teachers and parents in a timely and user-friendly manner.

Rationale: Any assessment should provide educators useful data to inform instruction. Requiring that test score data be reported to teachers and parents in a timely and coherent manner will improve the quality and quantity of instruction. In order for teachers to tailor their instruction, they should receive assessment data reports on their new students' academic strengths and weaknesses before the beginning of the next school year.

6. Include English language learners (ELLs) appropriately in assessment and accountability systems.

Rationale: Research indicates that it takes five to seven years for an ELL student to fully acquire the English language skills to perform academically on par with their non-ELL peers. Yet the law requires that ELLs be assessed and included in AYP calculations well before they have reached English language proficiency. The current one-year exemption from having test scores included in AYP systems is not sufficient to solve this problem. Also, while the law allows states to develop native language or simplified English assessments for ELL students, most states do not. The law should require states to develop native language and simplified English tests and to provide guidelines for school districts on these tests and on appropriate accommodations for ELL students.

7. Include students with disabilities appropriately in assessment and accountability systems.

Rationale: Students with disabilities, by definition, need special accommodations and supports to access the state-defined standards and assessments. Individualized education programs (IEPs) should determine how students participate in state academic assessments, including alternate assessments, modified assessments or assessments with accommodations. IEP teams should be provided professional development on how to determine appropriate assessments. Students participating in modified or alternate assessments should not be limited by an arbitrary federal percentage. Furthermore, inclusion of students with disabilities in general education settings should not preclude them from appropriate assessments.



School Improvement Interventions

Let's Get It Right

The AFT believes that meaningful intervention is necessary to raise student achievement in struggling schools. But NCLB's current sanctions are not research-based and, to date, have generally proven to be ineffective and unworkable. The AFT's experience with school improvement has helped identify proven strategies and the requisite supports to raise student achievement.

RECOMMENDATIONS:

8. Provide schools and districts the resources and the flexibility to implement research-based interventions.

Rationale: NCLB's current school choice, supplemental educational services and other "school improvement" provisions are punitive, ideological, not logically sequential, and neither research nor evidence-based. The first response to a struggling school should be supportive interventions tailored to the needs of the school and its community. Struggling schools need a broad range of complementary interventions, and they need research-based professional development, instructional strategies, materials and curricula aligned with standards, expertise and supports to fully implement those interventions. Some proven interventions include extended school day, reduced class size, intensive and additional reading and math instruction, summer school, and access to early childhood programs.

9. Interventions for schools that have not made AYP should be targeted to those students in the school who are not proficient.

Rationale: Focusing exclusively on those children who are not proficient allows a school to customize its research-based interventions to the students who need them most. Furthermore, allowing a range of research-based interventions corresponding to academic performance will allow schools to target supports and services where they are necessary to improve student achievement.

10. Schools that receive help over the years and continue to decline need to be redesigned.

Rationale: Just as we take accountability seriously, we take failure seriously. Once schools have received meaningful support and interventions, yet continue to decline or fail to improve, they should be closed in an appropriate manner and redesigned as a new school with a real chance to succeed. Currently, some states and districts are resorting to unproven alternatives to deal with long-term failing schools, such as takeovers by private management companies and wholesale conversions to untested charter school models. Yet school redesign that works has been demonstrated in several places around the country. For example, intensive interventions such as those implemented in the former Chancellor's District in New York City included a longer school day, reduced class size, highly structured curricula, intensive reading and math instruction, targeted small group instruction, salary incentives to attract and

keep high quality staff, and regular diagnostic assessment of student progress. These interventions have resulted in increased student achievement.

11. Allow schools to continue to receive interventions for at least three years after they have exited the “in need of improvement” category.

Rationale: Interventions that have worked at a school must be maintained when the school improves. As long as the current punitive, ineffective interventions are substituted by research-based interventions that help struggling schools, these efforts should continue. Schools are fragile organizations; once they achieve, they need continued support to solidify their accomplishments—including the financial resources to continue the successful interventions.

12. Require states to develop a “learning environment index” for all schools, and mandate that districts and states address the problem areas identified by the index for schools not making AYP.

Rationale: NCLB has established high-stakes consequences for staff and students, yet many of the schools not making AYP do not have adequate facilities, safe conditions, teacher retention incentives, and the financial and professional supports necessary to succeed. The gap in achievement is often a reflection of the gap in conditions. In a meaningful accountability system, all parties within the system should share responsibility. The learning environment index should identify and measure teaching and learning conditions in each school that are known to contribute to increased student achievement. Schools that fail to make AYP would be required to show improvement on their learning environment index, and states and districts would be required to provide the resources to ensure that schools address the teaching and learning conditions identified for improvement. This would be a first step in shared responsibility in student learning.

Staffing Schools

Let's Get It Right

The AFT supports NCLB's goal of ensuring that all students are taught by teachers who know their subject matter and how to teach it, and are supported by well-trained paraprofessionals. To fulfill NCLB's promise of closing the achievement gap, the law needs to improve teaching and learning conditions. Research shows that improved school leadership, better working conditions, and increased professional preparation and support can close both the achievement gap and the staffing gap. Furthermore, attracting and retaining both teachers and paraprofessionals requires compensation appropriate to their level of preparation. Compensation for everyone, but particularly for paraprofessionals, has not been commensurate with this law's increased qualification requirements.

RECOMMENDATIONS:

13. Require districts to develop incentives to attract and retain qualified teachers in low-performing schools, including increased

compensation, improved working conditions, meaningful professional development, a safe environment, and other instructional supports.

Rationale: The data on school district reform shows that teachers are attracted to—and continue to teach in—academically challenged schools when appropriate supports are provided to them. Two examples of districts that implemented teacher retention practices are the former Chancellor’s District in New York City and Charlotte-Mecklenburg schools in North Carolina. The Chancellor’s District significantly outperformed similar schools in the rest of the City, and Charlotte-Mecklenburg schools have steadily improved test scores over a number of years while simultaneously closing their achievement gap at a rate faster than their state average.

14. Refocus the law on improving the quality of instruction by incorporating research-based professional development and curricular supports for teachers and paraprofessionals.

Rationale: The debate over NCLB has focused on issues other than quality instruction. Research repeatedly shows that teacher quality is critical to student achievement. Professional development to improve instruction should be systemic, embedded, teacher-driven, focused on student needs, based on state or district standards, and inclusive of opportunities for practitioner input into its design and delivery.

15. Require that paraprofessionals be provided in-service and pre-service training and professional development that fully prepares them to support instruction in the classroom.

Rationale: NCLB currently provides three options for meeting education requirements, but fails to mandate the delivery of, or participation in, professional development for paraprofessionals. The minimal professional development recommendations in the law are not required to be job-specific or aligned to the skills and knowledge required to perform the job. Thus, recently hired and new paraprofessionals, despite the fact that they have acquired a certain number of college credits or passed a specific test, still do not receive the training and professional development they need.

Funding and Systemwide Accountability

Let’s Get It Right

NCLB essentially allows 50 different systems of standards and assessments, with little transparency or quality control. These recommendations would ensure systemwide transparency and initiate consistency across states’ standards and assessment systems. Underlying all of the above issues is the pervasive problem of funding, which is far less than what was promised and far less than what is needed. Lack of funding has undercut the efforts of states, districts and schools to meet new, rigorous requirements for students and teachers.

RECOMMENDATIONS:

16. Offer grants for voluntary consortia of states to develop common academic standards, curriculum and assessments to provide more consistency in the definition of proficiency and growth across participating states.

Rationale: Currently, 50 states have 50 different sets of standards and assessments. This demonstration project would be a step toward greater consistency. It would enable states in the consortium to pool their resources and develop appropriate assessments that align with the regular state assessments for English language learners and students with disabilities, which is currently allowed but rarely done due to limited state resources.

17. Ensure that state accountability systems are fair and accurate measures of student progress and achievement.

Rationale: Currently, states submit accountability plans that assert their state standards are rigorous and their tests are valid, reliable and aligned to the standards and curriculum. They use various methods and statistical procedures to set cut scores and to determine if schools and districts have made AYP. This process lacks transparency and—since some states are granted waivers or other allowances while others are not—it also lacks credibility. A study of state accountability systems, including standards, curriculum and assessments, by a group such as the National Academy of Sciences would strengthen the enterprise and provide credibility to the system.

18. Fund NCLB at the level promised in the 2001 reauthorization.

Rationale: As of January 2006, the difference between the amount Congress promised for NCLB programs and what it has actually provided for these programs is \$40 billion. This is money that could have been spent on underserved and unserved students by reducing class size, offering proven interventions to schools that most need assistance, developing mentoring and induction programs, providing resources for turning around low-performing schools, and other services to achieve the goals of NCLB. Current funding is not enough to serve all eligible students, and often efforts to help those students who are being served are insufficient, particularly in districts with the greatest concentrations of poverty.

NCLB FUNDING (IN BILLIONS OF DOLLARS)

| YEAR | FULL FUNDING | FUNDING RECEIVED | GAP |
|------|--------------|------------------|------|
| 2002 | 26.4 | 22.2 | 4.2 |
| 2003 | 29.2 | 23.8 | 5.4 |
| 2004 | 32 | 24.5 | 7.5 |
| 2005 | 34.3 | 24.5 | 9.8 |
| 2006 | 36.9 | 23.5 | 13.4 |

TOTAL

\$40 BILLION



“Whereas, the AFT is committed to assuring that NCLB is amended to correct its flaws and appropriately funded to accomplish its important goals ... Resolved, that the AFT work tirelessly to remedy the problems with NCLB so that its promised benefits reach every child.”

—AFT RESOLUTION ON MOVING EVERY CHILD FORWARD (2004)

For more information on the AFT’s efforts to get the law right, including how you can participate, call or write us at the address below or visit:

<http://www.LetsGetItRight.org>



A Union of Professionals

American Federation of Teachers, AFL-CIO
555 New Jersey Ave. N.W.
Washington, DC 20001
202/879-4400
www.aft.org

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