



How Many Schools Have Not Made Adequate Yearly Progress Under the No Child Left Behind Act?

Key Findings

The Center on Education Policy, an independent nonprofit organization, collected and analyzed data from state Web sites and other sources to determine how many schools in the nation and in each state did not make adequate yearly progress (AYP) under the No Child Left Behind Act (NCLB). Here's what we found:

- About one-third of U.S. public schools did not make AYP in school year 2008-09.¹
- In nine states and the District of Columbia, at least half the public schools did not make AYP in 2008-09. In a majority of the states (35 including D.C.), at least one-fourth of the schools did not make AYP.
- The percentage of public schools not making AYP varied greatly by state, from 6% in Wisconsin to 77% in Florida. These differences among states do not necessarily reflect the quality of the schools; rather, they are likely due to state variations in standards, tests, cut scores for proficient performance on those tests, and methods for calculating AYP.

Background

President Obama recently announced his plans to eliminate the current accountability system under the No Child Left Behind Act, which requires public schools to make adequate yearly progress in raising student achievement as measured by state tests and other indicators. The

¹In three states, 2007-08 test data were used.

Administration would like to replace AYP with a more comprehensive evaluation of public schools' progress and student growth.

The Center on Education Policy also recommends eliminating AYP, one of several recommendations in our 2010 paper, *Better Federal Policies Leading to Better Schools*. NCLB's current accountability system places considerable weight on the percentage of students scoring proficient on state tests, but this measure of achievement has limitations and is defined differently in every state. The current system is also based on an unattainable goal of 100% of students reaching proficiency by 2014. Finally, the current system overidentifies public schools for improvement and makes no distinction between schools in which one group of students missed one or two AYP targets and those in which students overall missed multiple targets. If the current AYP-based accountability system is not replaced, in some states nearly all schools could be labeled as failing by school year 2012-13. This would render meaningless the concept of singling out underperforming schools for attention and would overburden state departments of education, which must provide assistance to these schools.

To better understand the effects of the current AYP-based accountability system, we collected and analyzed data on the total numbers and percentages of schools *not* making AYP based on tests administered in 2008-09 from each of the 50 states and the District of Columbia. These data were often difficult to locate. Although some states specifically cite these totals on their Web sites, we sometimes had to glean the information from state department of education press releases or news articles or other sources. In three states (Iowa, Louisiana, and New York), we used AYP data from the previous school year because we could not find the information for school year 2008-09.

A complete list of the data sources by state appears in **table 1** at the end of this report. The numbers in this report should be viewed as estimates rather than final tallies, not only because these data are not always readily available to the public, but also because AYP data in general are frequently updated due to appeals from school districts and other factors.

AYP Results for the Nation

Our finding that about one-third of U.S. public schools did not make AYP was calculated in two ways.

First, we calculated the proportion of schools that did not make AYP out of all schools for which states reported AYP results in school year 2008-09. Of the 94,170 public schools with reported AYP results, 31,737, or 34%, failed to make AYP.

Second, because we knew that the number of schools with reported AYP results was fewer than the total number of U.S. public schools (94,170 versus 98,916), we calculated the proportion of schools that did not make AYP out of all public schools in the nation.² By this latter method, 32% of all public schools did not make AYP.

Under NCLB, states had to set interim targets for the percentage of students scoring proficient. These targets have increased since 2002 and will continue to rise on a trajectory that leads to 100% proficient in 2014. Many states have established “backloaded” trajectories that call on schools and districts to make impossibly steep achievement gains in the final few years before 2014.³ Given this situation, the percentage of public schools not making AYP is likely keep increasing across the country.

AYP Results for the States

As shown in **table 1**, the percentage of public schools that did not make AYP in 2008-09 varied greatly among the states, ranging from 6% in Wisconsin to 77% in Florida. This wide variation may have less to do with the quality of schools in an individual state and more to do with differences among states in the rigor of their standards, the content and difficulty of their tests,

²The number of schools in the nation comes from U.S. Department of Education data for school year 2007-08, the most recent year available. See *2009 Digest of Education Statistics* (http://nces.ed.gov/programs/digest/d09/tables/dt09_086.asp)

³For more information, see CEP’s 2008 report, *Many States Have Taken a “Backloaded” Approach to NCLB’s Goal of All Students Scoring “Proficient.”*

and the ambitiousness of their cut scores for proficient performance. In addition, states' methods for determining AYP may differ in such areas as yearly proficiency targets, the use of confidence intervals (a statistical technique similar to a margin of error), and the minimum size for a student subgroup to be counted for AYP purposes.⁴

To see whether any patterns could be found in this wide range of percentages, we grouped states into quartiles according to their percentages of public schools not making AYP. We also looked more closely at the states with the largest enrollments. Here's what our analysis revealed:

- A majority of the states (35 including D.C.) reported that 25% or more of their public schools did not make AYP in school year 2008-09.
- In nine states plus D.C., 50% or more of the state's public schools did not make AYP in 2008-09. From highest to lowest, these include Florida, D.C., New Mexico, Hawaii, Missouri, Washington, Arkansas, New Hampshire, South Carolina, and Indiana.
- No clear pattern was evident in the four largest states, which together enroll more than one-third of the nation's students. The estimated percentages of schools that fell short of AYP in these states were 77% in Florida, 49% in California, 20% in Texas, and 16% in New York.

In conclusion, the number and percentage of schools falling short of AYP targets and the variability of these statistics from state to state further illustrate the weaknesses of NCLB's accountability system. The current system does not give an accurate gauge of school performance, and its "pass or fail" approach to making AYP does not provide a comprehensive picture of student growth.

⁴For more information about different state approaches to determining AYP, see CEP's 2007 report *No Child Left Behind at Five: A Review of Changes to State Accountability Plans*.

Credits and Acknowledgments

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Based in Washington, D.C., and founded in January 1995 by Jack Jennings, the Center on Education Policy is a national independent advocate for public education and for more effective public schools. The Center works to help Americans better understand the role of public education in a democracy and the need to improve the academic quality of public schools. We do not represent any special interests. Instead, we help citizens make sense of the conflicting opinions and perceptions about public education and create the conditions that will lead to better public schools.

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Center on Education Policy
1001 Connecticut Avenue NW, Suite 522
Washington, D.C. 20036
Ph: 202-822-8065
Fax: 202-822-6008
E-mail: cep-dc@cep-dc.org
Web: www.cep-dc.org

Table 1. Estimated* Percentages of Schools Not Making AYP in School Year 2008-09*(Ranked from highest percentage of schools not making AYP to lowest percentage)*

State	% Did Not Make AYP	% Made AYP	Source
Florida	77%	23%	http://www.fldoe.org/news/2009/2009_06_18.asp
District of Columbia	74%	26%	http://osse.dc.gov/seo/frames.asp?doc=/seo/lib/seo/2009_DC_CAS_Results_Presentation_to_State_Board.pdf
New Mexico	68%	32%	http://www.ped.state.nm.us/ayp2009/certified/aypQuickFacts.pdf
Hawaii	66%	34%	http://www.hcps.k12.hi.us/STATE/COMM/DOEPRESS.NSF/0/8df1ce80ffe1a1460a2575f600149abb?OpenDocument
Missouri	63%	37%	http://www.dese.mo.gov/commissioner/statereportcard/src.pdf
Washington	61%	39%	http://www.partnership4learning.org/resources/article/new-wasl-and-ayp-results-announced
Arkansas	54%	46%	http://arkansased.org/communications/pdf/ayp_release_100909.pdf
New Hampshire	53%	47%	http://www.ed.state.nh.us/education/news/ayp09.htm
South Carolina	50%	50%	http://www.moultrienews.com/education/CCSD-schools-meet-2009-AYP-targets
Indiana	50%	50%	http://www.doe.in.gov/news/2009/04-April/ayp.html
California	49%	51%	http://www.cde.ca.gov/nr/ne/yr09/yr09rel130.asp#tab7
Minnesota	46%	54%	http://cfl.state.mn.us/MDE/Data/Data_Downloads/Accountability_Data/NCLB_AYP/index.html
Massachusetts	44%	56%	http://www.doe.mass.edu/sda/ayp/2009/improvement.pdf
Alaska	44%	56%	http://www.eed.state.ak.us/news/releases/2009/News_Release_2009AYP.pdf
Illinois	42%	58%	http://iirc.niu.edu/State.aspx?source=AYP_Information&source2=AYP_Performance
Nevada	40%	60%	http://nde.doe.nv.gov/AYP/AYPPressRelease09final.pdf
Kentucky	40%	60%	http://www.education.ky.gov/KDE/HomePageRepository/News%2BRoom/Current%2BPress%2BReleases%2BAnd%2BAdvisories/09-075.htm
Connecticut	40%	60%	http://www.sde.ct.gov/sde/lib/sde/pdf/pressroom/ayp2009/ayp2009newsrelease.pdf
Colorado	40%	60%	http://www.cde.state.co.us/FedPrograms/AYP/download/res_p_r110609.pdf
Maine	40%	60%	http://www.maine.gov/tools/whatsnew/index.php?topic=DOENews&id=83215&v=article
New Jersey	36%	64%	http://www.state.nj.us/education/news/2010/0114ayp.htm
Mississippi	35%	65%	http://orshome.mde.k12.ms.us/ors/accountability/2009/acc09sum.pdf
Idaho	34%	66%	http://www.sde.idaho.gov/site/assessment/ISAT/ayp.htm
Delaware	34%	66%	http://www.doe.k12.de.us/news/2009/0731b.shtml
Iowa [†]	31%	69%	http://www2.ed.gov/about/inits/ed/edfacts/state_profiles/iowa.pdf
Oregon	30%	70%	http://www.ode.state.or.us/news/releases/default.aspx?yr=2009&kw=&rid=709
North Carolina	29%	71%	http://www.ncpublicschools.org/newsroom/news/2009-10/20090806-02?&print=true
Wyoming	29%	71%	http://www.wsl.state.wy.us/slpub/reports/Education.pdf
Virginia	29%	71%	http://www.doe.virginia.gov/news/news_releases/2009/aug13.shtml
Vermont	29%	71%	http://www.vermont.gov/portal/government/article.php?news=910

State	% Did Not Make AYP	% Made AYP	Source
Ohio	28%	72%	http://www.peoplesdefender.com/main.asp?SectionID=13&SubSectionID=83&ArticleID=130246
Montana	27%	73%	http://opi.mt.gov/PDF/AYP/2009/Understanding_the_Numbers_2009.pdf
Arizona	26%	74%	http://www.ade.state.az.us/pio/press-releases/2009/pr07-29-09.pdf
Pennsylvania	26%	74%	http://paayp.emetric.net/StateReport#pie
North Dakota	25%	75%	http://www.dpi.state.nd.us/news/press_release052709.pdf
Maryland	23%	77%	http://www.marylandpublicschools.org/nr/rdonlyres/3e7a6be9-b034-4840-92fb-881e428fd318/21407/2009hsagraduationfinal92109.pdf
West Virginia	22%	78%	http://wveis.k12.wv.us/nclb/public09/repstatc.cfm
Tennessee	22%	78%	http://www.state.tn.us/education/nclb/ayp/doc/Basic_AYP_Stats_09.pdf
Texas	20%	80%	http://www.tea.state.tx.us/index4.aspx?id=5332
Louisiana [†]	19%	81%	http://www2.ed.gov/admins/lead/account/consolidated/sy07-08part1/la.pdf
Rhode Island	19%	81%	http://www.eride.ri.gov/reportcard/09/DOCS/Classification%20Type%20By%20School%20Level%20v2.xls
South Dakota	18%	82%	http://doe.sd.gov/educationonline/2009/August/printable.asp
New York [†]	16%	84%	http://www2.ed.gov/admins/lead/account/consolidated/sy07-08part1/ny.pdf
Alabama	14%	86%	http://www.media.alabama.gov/AgencyTemplates/education/alsde_pr.aspx?id=1911
Michigan	14%	86%	http://www.michigan.gov/mde/0,1607,7-140-22709_22875-221266--,00.html
Georgia	14%	86%	http://www.doe.k12.ga.us/DMGetDocument.aspx/2009%20All%20AYP%20Charts%2010-1-09.pdf?p=6CC6799F8C1371F63D229016DADA9FDEE581E44055084BA2447F2A30358A5656&Type=D
Utah	13%	87%	http://www.sltrib.com/news/ci_13353759
Nebraska	13%	87%	http://reportcard.nde.state.ne.us/Page/AccountabilityFederalSummary.aspx?Level=st
Kansas	12%	88%	http://www2.ljworld.com/news/2009/sep/09/fewer-kansas-schools-school-districts-make-adequat/
Oklahoma	11%	89%	Information collected by CEP through personal communication with state department of education
Wisconsin	6%	94%	http://www.wispolitics.com/1006/dpi2004_119.pdf

*The numbers in the table should be viewed as estimates rather than final tallies. Final totals are not always readily available to the public, and AYP data are often updated due to appeals from school districts and other factors.

[†]Numbers based on 2007-08 data

Source: Center on Education Policy based on information collected from state departments of education.