No Child Left Behind's Implementation in Urban School Settings: Implications for Serving Students with Emotional and Behavior Disorders

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Abstract

The No Child Left Behind Act (NCLB, 2002) has generated controversy and support since its inception. Parents, teachers, researchers, authors, advocates, protesters, and politicians have shared views and opinions based on "political" beliefs, biases, and anecdotal and research based evidence that supports their stance. In attempt to sidestep political attacks or endorsements of NCLB, we reviewed the literature regarding NCLB's basic principles, its issues in urban school settings, and its impact on students identified as emotionally and behaviorally disturbed who receive special education services in urban school settings. We also discussed relevant recommendations, methods, and strategies to increase a schools capacity and student outcomes.

On January 8, 2002, The No Child Left Behind Act (NCLB; P.L. 107-110) was enacted, holding all schools and school districts accountable for their students' educational outcomes (Abedi, 2004) by requiring them to adhere to rigorous standards (Beaver, 2004; Cohen, 2002), and compelling them to achieve adequate yearly progress on behalf of all of their students (Abedi; Berry, 2004; Linn, 2003; Rose, 2004). However, as with any federal law which "seldom escape[s] professional criticism" (Algozzine, 2003, p. 156), this mandate has been criticized by many – both inside and outside of the educational community (Lewis, 2002; Mathis, 2003; Rose, 2003a). For example, Mathis (2004) observed that NCLB allows politicians to offer their constituents simple solutions for complex problems. Since voters seem to be seen by some public servants as incapable of understanding, let alone supporting, multiple methods for solving highly complex, entrenched social problems, the need to keep it simple is often embraced. Moreover, NCLB "reflects significant impatience in Washington with the pace of state-led improvement and, in particular, with the slow pace at which states have instituted tough accountability systems" (Cohen, 2002, 1). As such, NCLB is "clearly the most dramatic change in national school legislation since ESEA's (Elementary and Secondary Education Act of 1965 – parenthesis ours) inception" (Boomfield and Cooper (2003) 1).

Although the prospect of schools being held to higher achievement standards, and thus producing better student outcomes, is universally appealing, to date very little is known about NCLB's actual impact on student outcomes. Further, despite the enormous number of books, book chapters, and articles describing its legal and conceptual underpinnings, little is known about the NCLB's practical implications for how we educate groups of students targeted in the Act (Rose & Gallup, 2003), and particularly one of its target groups: students with disabilities. For example, there appears to be little if anything in the extant literature, some five years after its enactment, regarding the implications the Act has for students identified as having emotional and or behavioral disorders (EBD), particularly those students served in urban school settings. Thus, our intent in this paper is to briefly review the major principles of NCLB and then to provide a context and discuss implications for NCLB's role in improving educational and social outcomes for students identified as emotionally and behaviorally disturbed (EBD) who are being served in urban school environments.

Principles of NCLB

The primary purpose of NCLB "is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education, and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments" (NCLB, 2002). Additionally, NCLB requires accountability for all children (Abedi, 2004; Spooner & Browder, 2003). Toward these ends, NCLB incorporates six key principles to achieve this goal (a) accountability, (b) highly qualified teachers, (c) scientifically based research practices, (d) local flexibility, (e) school safety, and (f) parental choice (NCLB, 2002; Turnbull, Turnbull, Erwin, & Soodak, 2006). Following are brief synopses of each principle.

Principle 1: Accountability for Results

Building-and district-accountability as documented with records of students' adequate yearly progress (AYP) is the primary focal point of NCLB (2002). AYP is defined and measured solely on the basis of standardized test scores (Bracey, 2003; Linn, 2003; Rose, 2004). Turnbull et al. (2006), observed that "…it is good public policy to reward states, school districts and schools that improve student academic achievement in reading, mathematics, and other core academic subjects" (p. 41-42). Schools and districts are honored with achievement awards for meeting or exceeding state proficiency standards, and NCLB funds can support teachers in schools cited for achievement gains (Turnbull et al.).

NCLB requires annual testing, using state-selected tests, in reading and mathematics for students in the third through eighth grade. Additionally, students are required to take a state-selected science test by the 2007-2008 academic school year (Egnor, 2003). Each state defines the "amount of adequate yearly progress toward proficiency in the core subjects that … each school district must achieve" (Turnbull et al., 2006, p. 45). NCLB also requires schools to demonstrate AYP in terms of 100% proficiency in reading, math, and science for all students within 12 years (i.e. by 2014). Egnor (2003) noted "individual schools must demonstrate linear incremental improvement in student performance towards 100% proficiency in reading and math for all students by 2014" (¶ 3). In addition, states and schools must include at least 95% of all students in the assessment process including the following target groups of students: (a) economically disadvantaged students, (b) students from major racial and ethnic groups, (c) students with

disabilities, and (d) students with limited English proficiency (Abedi; NCLB, 2002; Spooner & Browder, 2003). Assessment results must be disaggregated so that AYP data for each group are apparent.

Whereas NCLB can produce the "carrot" of rewards and possible funds for high achieving schools, it also can wield the "stick" of labeling schools as underperformers. If and when their child's school is deemed less than satisfactory in terms of facilitating students' AYP, the Act requires that parents be afforded the opportunity to transfer their son or daughter to an adequately performing school (Egnor, 2003).

Turnbull et al. (2006) outlined the timelines districts are required to adhere to in order to meet NCLB guidelines and consequences for failing to achieve the standards. This information is in **Table 1**. **Table 2** shows the consequences to Title I schools who fail to meet NCLB guidelines.

Principle 2: School Safety

Safety is another focus of NCLB. The majority of schools in the U.S. are safe; most crimes against persons or property occur in only 7% of the schools (Turnbull et al., 2006). However, the authors contend this fact shows a "critical mass of unsafe schools" (p. 51). The principle "is that schools must be safe and drug- and alcohol-free in order to provide an effective context for teaching and learning" (Turnbull et al., p. 51). In order to accomplish this goal, NCLB includes two major strategies. First, the Act provides funds to State Educational Agencies (SEAs) and Local Educational Agencies (LEAs) to: (a) prevent school-based violence and use of drugs, alcohol, and tobacco and (b) foster safe and drug-free teaching and learning environments. Second, NCLB allows parents to transfer their children from a "persistently dangerous" school (as determined by the SEA) to a safe school setting.

As discussed above, the Federal Government provides funding to meet the Safe School principle. In order to qualify for the monies, schools are required to establish: (a) objective data used to address local needs; (b) research-based prevention activities; (c) consultation sessions with parents, students, and community organizations; (d) systems to measure and evaluate progress; and (e) a uniform system for reporting data to parents and other citizens, including allowing parents full access to reports on the status of school safety and drug use among students.

Principle 3: Parental Choice

NCLB appears to rely on "the same strategy that IDEA had proposed 25 years earlier, parent participation, to enable parents to hold schools more accountable for providing an appropriate education" (Turnbull et al., 2006, p. 53). As discussed in regards to Principle 1 (Accountability) and Principle 2 (School Safety), schools that do not meet the academic and safety requirements, must offer parents the option to transfer their children to another school unless state law prohibits school choice (Egnor, 2003). If a parent does not choose to transfer their children from a school which is failing, the student will receive supplemental services. Theoretically, these provisions provide parents leverage for compelling failing or unsafe schools to improve (Turnbull et al.).

Principle 4: Highly Qualified Teachers

Accountability through highly qualified teachers is the fourth principle of NCLB (2002). Highly qualified teachers are related to student outcomes (Berry, 2004; Darling-Hammond, 2000; Darling-Hammond & Youngs, 2002; NCLB; Rebell & Hunter, 2004; Turnbull et al., 2006) and perhaps are the most important way schools can enhance student performance (Beaver, 2004; Darling-Hammond, 2000). States are required to have plans to ensure that highly qualified teachers are in all schools--including teachers in special education (Turnbull et al.).

A highly qualified teacher is defined as having (a) at least a bachelor's degree from a four-year institution, (b) full state certification, and (c) competence in the subject areas taught as assessed on state administered test on core academic subject knowledge. All teachers must meet these criteria by the 2005-2006 academic school year (Berry, Hoke, & Hirsch, 2004; Bracey, 2003; Darling-Hammond & Youngs, 2002; Mathis, 2003; Turnbull et al., 2006).

Two opinions exist on how NCLB's highly qualified requirement applies to special education teachers. Mooney, Denny, and Gunter (2004) cite the Council of Exceptional Children as interpreting the Act to mean that if a special education teacher is teaching in one or more of the core areas, he or she must be certified in core area(s) in addition to holding special education certification. On the other hand, Turnbull et al. (2006) noted that NCLB has conditions which apply to special education teachers. These teachers "may participate in instructional activities that do not require them to be highly qualified in core academic subjects" (p. 59). These activities included (a) implementing positive behavior support, (b) consulting with highly qualified teachers in core academic instruction, (c) selecting appropriate instructional accommodations and curriculum, (d) teaching study skills to students, and (e) re-enforcing instruction students received from a highly qualified general education teacher.

Finally, NCLB (2002) requires districts to issue reports on how the district is progressing toward the goal of having highly qualified teachers on an annual basis. The public must have access to this report (Turnbull et al., 2006).

Principle 5: Scientifically-based Research

The fifth principle of NCLB (2002) established accountability through scientifically-based research which Smith (2003) defined as "reliable evidence that the program or practice works" (p. 126). Shavelson, Phillips, Towne, and Feuer (2003) suggested scientifically-based research appeared first in federal law during the mid-1990s, and NCLB further supports this trend which should improve educational practices and student outcomes.

NCLB includes 111 references to scientifically-based research and the law requires schools receiving federal funds to use their resources to implement evidence-based strategies and procedures (Algozzine, 2003; Feuer, Towne, & Shavelson, 2002; Smith, 2003; Spooner & Browder, 2003). Turnbull et al. (2006) stated "instruction is most effective when it proceeds from scientifically based research" (p. 61). Scientifically-based research includes experimental or quasi-experimental studies, with a strong preference for randomized controlled trials (NCLB, 2002; Spooner & Browder, 2003).

Principle 6: Local Flexibility

NCLB answered critics who believe that school reform was hampered by a top-down, one size fits all approach administered by a bureaucracy. Under NCLB, federal programs "should encourage local solutions for local problems" (Turnbull et al., 2006, p. 63). SEAs and LEAs should have more discretion on how to spend federal funds, less paperwork, and more responsibility in the design and implementation of programs (NCLB, 2002; Turnbull et al.).

Local flexibility also allows states and schools to enter a five year performance agreement with the U.S. Department of Education as charter states or charter districts. This agreement permits these states and districts to be "relieved of the requirements under many federal categorical programs" (Turnbull et al., 2006, p. 64) but also subject them to rigorous standards of accountability and sanctions if terms of the agreement are not met (Turnbull et al.).

The six principles of NCLB apply to all public schools; however, low-achieving urban schools face greater challenges in attaining the outcomes required by NCLB. The following section contains a brief review of the literature related to challenges faced by low-achieving urban schools followed by a comparison of NCLB's six principles, discussed in the section above, interfaced with issues in the urban schools.

Table #1

Table 1 *Consequences for Schools Not Meeting NCLB Requirements*

After 2 consecutive years	Consequence to District or School
	• Designated "needing improvement" • State takes specific action to improve the district or school using scientifically-based instructional strategies
Subsequent years	• Subject to further state oversight

Table #2

Table 2
Consequences to Title I Schools Not Meeting NCLB Requirements

Failure to Meet Requirements: Title I Schools	Consequence to District or School
After 2 consecutive years	• School district identifies itself as needing improvement • District receives technical assistance to develop and carry out an improvement plan • Students have right to transfer to another public school in same district that has not been identified as needing improvement
3 years	• Remains in "improvement" status • District continues transfer option • Title I students may receive supplemental educational service such as tutoring or remedial education from state-approved providers

4 years	• School district must take corrective actions to improve including these options:
	  • Replacing staff
	  • Implementing new curriculum
	• District continues transfer option

Failure to Meet Requirements: Title I Schools	**Consequence to District or School**

5 years	• District must take action to restructure the school including these options:
	  • Converting to charter school
	  • Replacing some or all of the faculty and administrators
	• Turning the school's operation over to the state or private agency that has demonstrated success in school improvement

NCLB and Urban Schools

Arguably the primary goal of public education is to teach every student to read, write, and problem solve in order to produce active members of society (Crosby, 1999). Few would dispute the ideal that, in the United States, all students should receive an excellent education (Mathis, 2003; Lewis, 2002). Unfortunately, this ideal can be lost in the challenges endemic to the urban school setting because teachers and students must contend with a multitude of unfavorable conditions, often precluding effective teaching and learning (Crosby, 1999; Lopes, Cruz, & Rutherford, 2002).

Arroyo, Rhoad, and Drew (1999) stated that an extensive amount of knowledge and information has been accumulated in professional literature about possible causes and solutions for the underachievement of students in urban school environments. Identified causal factors include: (a) instability of parental (De Haan & MacDermid, 1998; Siefert & Hoffnung, 1991) and peer relationships (Lopes et al., 2002), (b) cultural background and experiences (Bowers, 2000; Hayes, Nelson, Tabin, Pearson, & Worthy, 2002), (c) poverty (Conniff, 1998; De Haan & MacDermid; Ferrandino, 2001), and (d) inappropriate student behavior (Bowers; Laffey, Espinosa, Moore, & Lodree, 2003; Lopes et al.). In light of NCLB's goals, it may be even more difficult for professionals to become informed and implement recommended research based practices and strategies in urban school settings.

Urban school personnel face an increased challenge to serve the greater community because of the sometimes extreme social and economic needs of the population (Crosby, 1999). In essence urban schools can be seen as similar to the government of a small city providing several of the following services: (a) recreation, (b) cultural growth, (c) emotional development, (d) basic health care, (e) food service, (f) voter registration, (g) draft registration, (h) driver's education, (i) sex education, (j) employment service, (k) immunization, and (l) collection of census data (Crosby). The availability and accessibility of community-based resources such as: (a) after school tutoring (Zhou, 2003), (b) parent organizations (Arroyo et al., 1999), (c) clubs and athletic teams (Knight-Abowitz, Rousmaniere, Gaston, Kelley, & Solomon, 2000), and (d) teen outreach programs (Somers & Piliawsky, 2004) play a vital role in student success. Further, learning difficulties are caused because students come to school ill-prepared to learn because they (a) are hungry, (b) experience substandard living conditions, (c) have poor access to health care, and (d) live in unstable family units.

Urban Schools: Accountability and Safety

Without highly qualified teachers, urban schools may find it impossible to succeed in meeting AYP (Berry, 2004). Every year educators implement a variety of interventions to increase the academic outcomes of students in urban school settings (Bowers, 2000). However, in several schools across the country student gains are typically short-lived. As previously discussed, the majority of urban school teachers are faced with a vast array of interconnected social problems (Burnett, 1994). Further, urban schools typically lack appropriate supplies and equipment including such basics as (a) up-to-date textbooks, (b) children's literature books, (c) desks, and (d) chalkboards (Bowers; Kozol, 2005). Schools without these essential resources are less likely to have access to more advanced teaching materials such as (a) graphing calculators, (b) science and laboratory materials, and (c) technology all of which have a direct impact on meeting AYP.

Some urban schools report student turnover ranging from 40 to 80% annually and it is not uncommon for a student to attend multiple schools in a single academic school year (Stover, 2000). Frequently, the revolving door effect has students arriving with no academic records to guide school officials on proper grade placement which in many cases force teachers to devote attention to remedial lessons rather than teaching new skills (Stover). Bouncing from school to school has significant negative implications for students living in poverty (Conniff, 1998). According to Sanderson (2003), hundreds of students leave their schools and re-enroll in new schools. Hodgkinson (2000) asserted constant turnover is disruptive to (a) the overall school environment, (b) teacher's instruction, (c) student learning, and (d) significantly lowers the mobile student's level of engagement. Additionally, moving from school to school does not

allow students to receive an appropriate education (Conniff) or the attention he or she needs to undergo evaluations, meet state and national standards, or successfully contribute to meeting AYP.

Behavior problems can be devastating for urban schools. Bowers (2000) observed that disruptive behaviors and absenteeism are typically high and achievement rates tend to be low. For example, in several urban high schools, delinquent behavior can be characterized as anarchy or civil war, which is more serious than those external to the urban school culture may realize. Many students are angry, question every rule, and commit astonishing acts of defiance directly impacting the overall school setting (Crosby, 1999).

Although the results of school overcrowding is inconclusive, limited research suggested overcrowded schools in poverty stricken areas have an adverse influence on student learning and outcomes (Burnett, 1995). Research indicated overcrowding conditions impede (a) student learning and classroom activities, (b) instructional techniques, (c) student concentration, (d) classroom order, and (e) scheduling (Bowers, 2000), especially for students living in poverty (Burnett). Teachers and students have voiced concerns that overcrowding negatively affected both classroom activities and instructional techniques such as (a) student's inability to concentrate, (b) limited teacher student interaction, (c) limited cooperative learning or group activities, and (d) teaching only a minimum part of the required material (Burnett). These factors will likely lead teachers to burnout earlier when compared to other educational settings.

These factors also appear to play a significant role in individual learning outcomes and affect their performance on educational assessments which affects a schools progress toward meeting AYP (Ferrandino, 2001).

Urban Schools: Parental Choice

Fowler (2003) reported school choice has greatly expanded since 1984 at which time most students attended the public school within their zone as designated by their school board. During the 1990s the quality of public education was scrutinized and criticized, which led to an influx of experimental and alternative school choice programs including (a) magnet schools, (b) charter schools, (c) voucher programs, (d) home schooling, and (e) religious based schools (Carper, 2001; Ferraiolo, Hess, Maranto, & Milliman, 2004).

According to Ferraiolo et al. (2004) school choice is based on the fundamental belief that parents and students should be provided the freedom to select and attend the school which best satisfies their (a) educational priorities, (b) embraces principles such as responsiveness to the clients statistics' demands, (c) accountability for student performance, and (d) innovation in instructional techniques. Supporters view school choice as the "silver bullet" which can dramatically improve the U.S. educational system "by subjecting public education to much needed market pressures, thereby raising student achievement, increasing parent involvement, providing for diverse educational needs, and building more cohesive school communities" (Fowler, 2003, p. 33). Focusing school choice on underprivileged urban families may "save" students from failing public schools and could level the playing field by offering educational opportunities currently benefiting middle class students (Viteritti, 2003).

Currently, "seventeen states have interdistrict open enrollment programs; 37 states and the District of Columbia have passed charter school legislation; public voucher programs exist in three states; and numerous private voucher programs are operating, mostly in urban areas" (Fowler, 2003, p. 33). However, the evidence to date has been insufficient and inconclusive as to whether school choice will close the achievement gap (Viteritti, 2003).

According to Viteritti (2003), the market's failure to respond to the crisis in urban school settings is based on individuals who do not have adequate resources to "explore" the market. Essentially, these parents cannot afford the tuition to send their children to nonpublic schools. Educational alternatives typically are not readily available to disadvantaged families. However, vouchers may improve student access to nonpublic schools where traditionally tuition rates are prohibitive (Viteritti).

Vouchers are increasingly popular among families in underprivileged African-American and Hispanic communities who are eager to remove their children from appalling school conditions (Thomas & Clemetson, 1999). However, the National Association for the Advancement of Colored People president Kweisi Mfume warned "Vouchers don't educate, they segregate" (Thomas & Clemetson). Further, NCLB is widely regarded in the education community as a master scheme to privatize public education (Rose, 2003b). Opponents argue that vouchers will take the brightest students and drain desperately needed resources from public schools, which means that poor students with uninvolved parents will be left behind (Thomas & Clemetson). In essence, vouchers may only benefit a small percentage of students.

Urban Schools: Highly Qualified Teachers

Currently, urban schools confront huge teacher shortages. In many cases "low performing" urban schools are poorly staffed because more than one-half of the teachers hold only emergency certification (Berry, 2004). Duvall (2001) reported teacher shortages have reached critical proportions in urban schools primarily in the areas of special education, mathematics, and science forcing urban districts to find creative ways to recruit and retain teachers and administrators.

Urban schools strive to compete with surrounding suburban school districts. However, many urban districts continue to face several challenges including: (a) significant salary gap; (b) serious disciplinary and behavioral issues; (c) lack of parental, administrator, and community support; and (d) a growing discrepancy between teachers--largely white females--and the increase of minority students all of which contribute to the teacher shortage crisis (Duarte, 2000). Over the next six years it is estimated two million additional teachers will be required to fill the retirement gap and projected increases of enrollments (Beaver, 2004), which will only exacerbate the teacher shortage problem in urban school settings.

Unfortunately, business leaders and policy makers have just recently realized that teachers have the most significant impact on student achievement (Berry et al., 2004). Research indicates that exceptional teachers are perhaps the most important resources schools can provide to enhance student performance and outcomes, especially for "at-risk" and low achieving students (Berry, 2004; Darling-Hammond, 2000; Darling-Hammond & Youngs, 2002; Rebell & Hunter, 2004). However, limited empirical agreement exists about what is meant by "teacher quality" or the

necessary steps to ensure every student has access to highly-qualified teachers (Berry; Berry et al.).

As discussed above, NCLB requires all public schools to have highly qualified teachers in every classroom by the 2005 academic school year (Beaver, 2004, NCLB, 2002). This is a worthy goal and in theory improved instruction increases the chances schools will meet AYP (Beaver). However, disadvantaged schools will potentially fail under NCLB requirements because they have higher percentages of unqualified faculty and lack adequate funding to provide training or education that might increase teachers' chances of achieving local and state standards (Beaver).

As outlined above, urban school students' face several different challenges compared to their middle-class peers (Cuban, 2004). For example, nearly three times as many students in urban schools come from homes where English is the second language (Duvall, 2001), and minority students in these school environments are increasingly being taught primarily by Caucasian novice teachers and will unlikely ever be taught by minority teachers (Duarte, 2000). These facts pose several difficulties and should raise concerns for administrators forced to include standardized test scores of students from various racial, ethnic, and language backgrounds.

Another factor is that the total number of professional staff working in urban school settings is often inadequate to perform the duties required (Crosby, 1999). Additionally, teacher turnover in urban settings is much higher than suburban school settings. Berry (2004) argued that retaining highly qualified teachers is a larger problem than preparing new ones.

Urban Schools: Scientifically Based Research and Local Flexibility

A thorough and systematic review of the literature revealed a dearth of empirical research, anecdotal reports, or opinion pieces specifically related to NCLB and scientifically based research in urban school settings. However, several research based articles have been published concerning urban schools, which are frequently associated with low achieving students (Arroyo et al., 1999; Lopes et al., 2002; Katz, 2000). Therefore, parallels from this body of literature were drawn for this manuscript.

NCLB (2002) declared scientifically-based research methods must be used within every classroom and all students must meet standards. Ironically, however, NCLB mandates are not based on scientific research but on a theory that increased standards will increase student outcomes. Allbritten, Mainzer, and Ziegler (2004) argued NCLB placed policy before knowledge.

According to Schwein and Young (2003) NCLB increases local flexibility by allowing communities the freedom to find solutions for there unique educational needs. In addition, NCLB allows local education agencies greater opportunities to decide when and how to spend federal monies. However, as discussed above, this freedom has stipulations which hold school districts accountable for increasing student outcomes (NCLB, 2002). NCLB primarily defines flexibility in terms of funding with an emphasis of how Title I funds are spent. NCLB allows Title I funds to be used in a variety of ways including promoting teacher quality, safe schools, and educational technology. The ideal of this shift in how Title I funds are allocated is based on increasing student outcomes in the classroom setting.

NCLB and Students with EBD in Urban School Settings

With the exception of one article, the literature is silent regarding direct implications of NCLB for students who have emotional or behavioral disorders. Mooney et al. (2004) discussed the impact on academic instruction that NCLB and the Louisiana Senate Bill 1248 (S. 1248), which mostly mirrors NCLB, have on this student population. The authors focused on three of the Act's six principles: (a) accountability, (b) highly qualified teachers, and (c) scientifically-based research with particular emphasis on students' access to the general curriculum.

Mooney et al. (2004) suggested that NCLB and S. 1248 only indirectly influence the academic instruction for students with EBD. The authors also concluded that the legislation "can serve as a prime opportunity for teacher educators and researchers in the field of EBD to directly--and positively--impact the academic instruction of our students" (p. 237). Mooney et al. warned that the two bills have the potential to demand "quick-fixes," which they do not believe are available. Finally, they suggested that the influence of the highly qualified teacher requirement will significantly increase the number of teachers who are not fully qualified to teach students identified as EBD.

Osher and Hanley (2001) sumed up the plight of children and youth with emotional and behavioral problems. They stated, "Generally [these students] receive inadequate services and achieve poor educational and community outcomes, which school and community factors play a key role in producing" (¶ 1). Based on the findings in the literature concerning the outcomes for students with EBD, and Mooney et al.'s (2004) suggestions that NCLB will further exacerbate the shortage of highly qualified teachers in the field, one can infer that NCLB may negatively affect students in this population.

Unlike affluent school districts where additional resources can be used to assist students with disabilities, resources in urban school settings are typically unavailable (Sorrentino & Zirkel, 2004). Given the current realties of (a) NCLB (2002), (b) urban schools, and (c) academic and social outcomes for students with EBD there appears to be a growing discrepancy between legal mandates and means to achieve rigorous demands. Additionally there appears to be growing concern about the efficacy of special education services across America (President's Commission, 2002).

An Agenda for Meeting the Instructional Needs of Students with EBD in Urban Settings

The focus of the following recommendations centers on urban schools. It should be noted that the recommendations do not include justifications or interpretations of how the Office of Special Education Programs (OSEP), SEAs, or LEAs should implement theses suggestions. The following three recommendations are presented to bring about better outcomes for students with EBD within urban school settings through (a) teacher preparation in higher education, (b) matching extraordinary teachers with low-achieving students, and (c) reduction in classroom size.

Recommendation 1: Highly Qualified is not Enough: Reports by the President's Commission (2002) stated that there is a critical shortage of qualified staff in special education and argued that states should require all teachers to have specific training related to meeting the needs of students with disabilities.

The current state of public education within urban school settings can be viewed as an academic, social, emotional, and behavioral battleground. Teachers can no longer afford the luxury of collecting a paycheck without the responsibilities of fine-tuning their craft. It was reported that in 1998 only forty-one percent of public school teachers felt moderately well prepared to meet the needs of students with disabilities while only twenty-one percent of public school teachers felt very well equipped to provide appropriate services to students with disabilities (President's Commission, 2002).

Currently, the vast majority of universities across the nation require students in teacher education programs to take one course in the area of special education. Typically these courses provide a cursory overview of disability characteristics, behavior interventions, strategies to modify curriculum, and lessons to meet the unique needs of students with disabilities. We advocate that core competencies should be included in teacher preparation programs. These competencies include knowledge of the law (including NCLB), introduction to special education, and a supervised practicum.

Although this would require a major systems change, it is vital that a two-to-three credit hour course related to an in-depth review of The Individuals With Disabilities Education Improvement Act (2004) be added to the teacher training programs for both regular and special education teachers. This would ensure teachers are knowledgeable about the law and how it will influence their upcoming teaching career. This course would be in addition to the three credit hours of instruction in children with exceptionalities.

In addition, we recommend teacher training programs require all students in the field of education be required to take a minimum of six credit hours of field experience. Three credit hours should be within a pull-out or self contained settings and three credit hours within an inclusive classroom. The purpose of having these experiences is to better prepare students for the world of teaching and bridge the gap between theory and practice.

Recommendation 2: Matching Extraordinary Teachers with Low-Achieving Crisis Potential Students: A critical feature of extraordinary teachers is an extraordinary level of commitment to and caring for marginalized populations of schools (Goldstein & Lake, 2003). Arroyo et al. (1999) recommended that experienced and caring teachers who have realistic and high expectations should be matched with low-achieving students, particularly those on the verge of failure. Additional findings suggested low-achieving students connect with encouraging and respectful teachers (Arroyo et al.; Haberman, 1995).

Outstanding teachers can be identified and do exist in urban school settings and they make a difference in the life of urban school students (Gordon, 1999). However, this author asserted that school districts are unfocused, unorganized, and unsystematic when identifying teachers who should be hired. Qualities of excellent teachers in urban school settings included intelligence, knowledge of their subject matter, and ability to understand and implement learning theories (Gordon). Other qualities included (a) commitment, (b) dedication, (c) individualized perception,

(d) caring, (e) involver, (f) empathic, (g) positive, (g) initiator, (h) stimulator, (i) input seeker, and (j) conceptualization skills (Gordon).

Another approach to ensuring urban school districts having extraordinary teachers is to hire teachers with knowledge, skills, and professional dispositions aligned with those required of Star Teachers (Haberman, 2004). Similar to Gordon's (1999) assertions, Star Teachers are effective and see gains in their students despite working in failing schools (Haberman). Unfortunately only about 8% of teachers who work with students from low-income or urban school districts are considered to be Start Teachers (Haberman). Characteristics of Star Teachers have been well document in the literature. Common characteristics included (a) persistence, (b) physical and emotional stamina, (c) building and maintaining caring relationships with students, (d) commitment to supporting student effort, (e) willingness to admit mistakes, (f) focus on deep learning, (g) commitment to inclusion, and (h) organization skills (Haberman, 1995/2004).

Recommendation 3: Innovative ways to Reduce Teacher Student Ratios: As discussed above, overcrowding severely hinders the functioning of the school day which often forces administrators to devote their time and energy to maintaining order rather than engaging in efforts to improve their schools (Burnett, 1995). For example, a typical classroom in the U.S. has approximately 25 students (Cooter & Cooter 2004) and Arroyo et al. (1999) advocated classroom sizes be reduced to between 15 and 20 students.

Unfortunately administrators and teachers are not always in the position to reduce class size (Arroyo et al., 1999). The following five suggestions are alternatives which can be implemented--or explored--within the school district, school, or classroom setting (a) year round schooling (Heaberlin, 2002; Lowe, 2002), (b) looping (Little, & Little, 2001; Nichols & Nichols, 2002), (c) cooperative learning groups (Slavin, 1995), (d) utilization of paraprofessional (Kotkin, 1998), and (e) alternative block scheduling (Marchant & Paulson, 2001; Veldman, 2002). It is beyond the scope of this paper to provide a detailed description of each of these suggestions. However, in order to clarify these recommendations each of these options is briefly discussed below.

Year round schooling falls into two major categories (a) multitrack and (b) single-track (Mcglynn, 2002). As of 2002 approximately 3,000 individual schools adopted a year-round calendar (Mcglynn). Typically multitrack calendars break students into four groups--three of which attend school at any one time. This allows schools to accommodate more students (Mcglynn). Whereas single-track calendars require all students to attend school at one time. Traditionally single-track schools offer three-to-four breaks throughout the academic school year (Mcglynn).

According to Little and Little (2001) looping is a placement which allows teachers to stay with the same group of students for more than one academic school year. For example, a teacher may loop with his or her students from kindergarten to first grade. The purpose of looping is to meet individual needs of students and increase their learning outcomes. Proponents of looping have cited the following benefits for students and teachers (a) increases productivity during the second year, (b) provides a safe and secure environment, and (c) allows teachers and students extended opportunities to grow academically (Vann, 1997).

The basic principle of cooperative learning is accountability. For example, each group member is not only responsible for their own learning but the learning outcomes of their teammates

(Lindauer & Petrie, 1997). Teachers can introduce a variety of different styles of cooperative learning (Lindauer & Petrie) however, Slavin (1990) identified the following characteristics of effective implementation team rewards, accountability, and equal opportunities to succeed.

Unlike 10-to-20 years ago, paraprofessional's duties have increased from being an aid to taking an active role in the teaching process. Keller, Bucholz, and Brady (2007) reported that paraprofessionals now assist the teacher, provide instruction, and oftentimes actually teach small groups of students. In addition, these authors suggested that paraprofessional provide supportive instruction in the general education classroom setting. Teachers who know how to effectively utilize their paraprofessional increase the likelihood of assisting multiple student populations including (a) students with disabilities, (b) students who are low-achievers, (c) English language learners, and (d) students who need remedial assistant.

Traditional block scheduling in high schools are seven 50-to-55 minute periods. However, according to Marchant and Paulson (2001) alternative block scheduling typically breaks the school day into 90 minute blocks. Different block scheduling models exist. Marchant and Paulson reported on 4 x 4 and A/B designs. Four by four allows students to attend four courses everyday for one semester and a different set of four courses during the second semester (Marchant & Paulson). Schools which have adopted A/B scheduling usually have students take seven course and one study hall. Marchant and Paulson reported that classes alternate every other day. This allows teachers to use a variety of different instructional approaches depending on the class and students.

Summary & Conclusions

The purpose of this paper was to provide the reader with a synthesis of literature relevant to The No Child Left Behind Act (2002). It outlined and defined the six major principles of NCLB, the literature that provided a context for urban school settings, and implications NCLB has for students identified as EBD in urban educational settings. Finally, three recommendations were provided to facilitate greater educational and social outcomes for students identified as EBD in urban school environments.

Comprehensive, focused urban school reform efforts such as Philadelphia's Research for Action (RFA) funded by no fewer than 10 private foundations, typically are brought to bear when crisis--proportioned failure occurs--in this case state take-over of the local district (RFA, 2007). Among RFA's ongoing work is the creation of "small" high schools (500 or fewer students), data driven practices, and civic engagement and professionalism. Interestingly, these reforms are neither new nor innovative, they are sensible and seem only to be embraced when all else fails. NCLB's spirit will only be realized when similar urban-based reforms occur before rather than during times of crisis. Children and youth with EBD by definition experience too many personal crises; we should work to ensure that the schools serving them are not similarly in crisis mode.

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