

Utah's Perspective on the Potential Reauthorization of No Child Left Behind as part of the Elementary and Secondary Education Act

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Option A

Do not reauthorize NCLB. Let ESEA roll back to its early 1990s state without any federal interference with accountability. Dramatically reduce the U.S. Department of Education (ED) staff and functions, returning money to other uses or directly sending money to states and schools.

Option B

Reauthorize NCLB but remove most of the law, leaving only the requirement that states must create and submit accountability plans to their state legislatures for approval, with amendments to those plans further authorized by state legislatures. Such accountability plans have no restrictions nor guidelines and mandates from ED; rather, they are restricted and enabled by state law and guidelines. ED becomes the educational research arm of Congress and the President. Dramatically reduce the ED staff and functions, returning money to other uses or directly sending money to states and schools.

Option C

Reauthorize NCLB but remove most of the law, leaving only two requirements: 1) States must create and submit accountability plans to their state legislatures for approval, with amendments to those plans further authorized by state legislatures; and 2) disaggregated results in testing, graduation rates and attendance are submitted annually to ED for Congressional report. ED stays out of the business of regulating states and processes and setting federal "bright lines." ED becomes the educational research arm of the Congress and President. Reduce the ED staff and functions, returning money to other uses or directly sending money to states and schools.

Option D

Reauthorize NCLB under the belief that with sufficient changes, it can become a positive tool toward student achievement. This will require significant changes in the law, so many so that it would be wise to rename the reauthorization so that it is no longer known as NCLB. One suggested name (Alliance for Excellent Education, 2002) is: Every Child a Graduate. Such reauthorization should still include all of the elements of Option C, and if the federal government is intent on taking over the regulation of schools, then Every Child a Graduate will be far more successful in advancing student achievement than has been NCLB, the focus of which has been on identification of failing schools and regulation of processes.

Every Child a Graduate would rest upon the notion that successful educational accountability and renewal is built from the bottom up, not top down. It would operate on the research-driven principle that negative reinforcement fails to sustain long term

motivation for improvement, but positive reinforcement and targeted assistance at the classroom level, with each child, teacher and/or administrator builds trust and long term success.

The program would recognize in the construction of its accountability plan, that the most important people to inform about the performance of a school and teacher are the parent and his/her child, not state or federal policymakers; and that the most important person to drill down into data is the teacher, looking for instructional clues into a child's learning difficulty or success. Instructional information, per child, would be the focus of the accountability system, requiring a unique student identifier that could then be aggregated or disaggregated in any form or shape desired by principals, boards of education and policymakers.

Every Child a Graduate would build in enormous flexibility of resources, time and materials at the school level to be used and allocated through a school community council, comprised of educators, parents and the principal. Accountability for use of resources would lie within those school community councils who answer to the local boards of education. For the sake of care in expenditures, no allocation of funds would be granted until there were sufficient checks and safeguards on the accounting of the funds.

Within these parameters in mind, Every Child a Graduate would contain these items:

1. State or locally-declared power standards in reading, writing and math. Such standards are annually published and well known to a school's community. While literacy power standards are declared, they are not only taught in literacy-specific classrooms, but reinforced in every subject and grade. Thus, fine arts are not only prized, but are seen as a place where lyrics add to one's ability to read.
2. Reorganization of school to ensure that there are rigorous course or competency requirements and that there is alignment between standards and rigor and the resources required to sustain them—those of time, money, people, space, and technology. This would require a curriculum audit in every school and district and an examination of the amount of time spent on relevant competency standards and other rigorous coursework. No credit would be offered for teacher's aide time, athletic sports team classes, or other courses that did not extend academic abilities, including academic abilities in career and technology and fine arts courses. Ensure that cultural literacy and preservation of home language are ensured, while mastery of English is required for every graduate.
3. Pretest diagnostic assessment of every child annually in reading, writing and math. The assessment is performed by the teacher or a teaching cadre, providing early diagnostic information to the teacher so as to tailor instruction to the child.
4. Posttest assessment (using the same instrument as the pretest) so as to determine a gain score and magnify the learning growth (or not) of every child, every year.

5. Ongoing assessment throughout the year to gauge the acquisition of learning benchmarks and to guide instruction.
6. Backward curriculum mapping (done during the summer by teachers in each school or district) of state power standards, tailored to each grade level, based upon performance on state tests, which are given at least every three years.
7. Immediate interventions for students who struggle, as determined by ongoing assessment (not end of year tests that have the effect of "autopsies").
8. Accountability for student achievement results would be the focus, not accountability for processes. Results are more broadly defined than just reading, writing and math and should include at least accelerated class counts, ACT or SAT scores, and graduation and attendance rates, all disaggregated for ethnicity, poverty, English language acquisition, and students with disabilities.
9. Educators would be well qualified as per state and local regulations, not by one-size-fits-all federal timelines and definitions.
10. Differentiated pay plans that reward needed endorsements or placements would be required, including weighting of pay based, in part, on student achievement results as a three-year pattern for every teacher and administrator.
11. Site-based decision-making would prevail, with financial allocations going directly into schools wherever feasible.
12. Significant funds would be allocated for use in celebration and recognition of successful schools and for school improvement efforts supported and directed by the SEA, but accomplished through local capacity-building so that positive changes are sustainable.
13. Funds would be provided for full-day kindergarten and universal preschool, utilizing providers from both public and private sectors, ones that meet state requirements not only for safety and health, but for alignment of standards and results as well.
14. Grants would be provided to schools and districts that willingly extend their school day or school year, with careful evaluation of the practice and its results, with cost/benefit analysis in terms of student achievement gains.
15. ED must play a larger and timelier role in research, including English language acquisition research, which heretofore, the ED has been reluctant to publicly release. (That is supposedly due to the fact that NCLB ignores ELL research in terms of timing of learning and testing in English.)

Option E

Try to fix NCLB. This is a retrenchment effort and may not be worth the work of identifying the issues the law has presented to various stakeholders. Nonetheless, if this effort were undertaken, Utah believes it will only be successful, if at least the following were included.

1. State legislatures, not ED, develop and approve state accountability systems as part of their Constitutional duty to lead public schooling. State boards of education, in tandem with state legislatures, set performance goals and

- expectations. If federal intrusion and control is going to continue with NCLB, there would be a host of needed changes to the Adequate Yearly Progress factor of NCLB. Utah may not, in any case, support any change in NCLB unless and until state leadership for public education is fully restored.
2. State boards of education and state legislatures require regular reporting from districts and schools.
 3. Growth and compensatory models are approvable so long as they bear positive results over a pattern of three years for the majority of indicators included in the accountability system, in disaggregated form.
 4. Use of multiple assessments and multiple administrations as measures of student and school performance are encouraged in state accountability.
 5. Reporting must include every child (N=1) disaggregated for ethnicity, poverty, English language learners and students with disabilities. Disaggregated scores must include former students (up to three years) so that progress can be shown and tallied. Accountability scores may be aggregated for student subgroups and for content subjects.
 6. Testing occurs regularly but at least occurs every three years of a child's education and includes at least one testing cycle inside each of a child's elementary, middle or junior high and high school experiences. Choice of testing methods and materials is left to the discretion of the state.
 7. Testing must be disaggregated and reported for ethnicity, poverty, English language acquisition, and students with disabilities.
 8. Report cards are required to be published and mailed to the constituents of schools and districts and e-published and posted on the state office website for each school, district and the state.
 9. Each child must receive an updated report card of all required assessment/testing, distributed to parents in parent meetings at least annually.
 10. Supplemental services and tutoring are provided as soon as potential failure of a student is known and can be provided by the school or similarly-qualified outside providers, but requires additional and more intensive instructional methods than those used in the classroom. It may include distance learning and electronic learning.
 11. The choice of where a child attends school is an option given to parents in every state at the beginning of the school year, not a consequence of a school's performance. Such choice is subject to a state's established timeline and to capacity of schools.
 12. Students are tested in English after three years of instruction in the U.S. or when a child scores a "3" on the Idea Proficiency Test (IPT) or its equivalent, whichever comes first. Scores of students learning English on academic tests are not included in the accountability system, but scores of those same students as those scores relate to the acquisition of English shall count in the accountability system of a school and district.
 13. Students with disabilities are instructed and tested as agreed to with parents, administrators and teachers on their Individualized Education Plan (IEP). This may include grade level assessment, alternative assessment, or off-level assessment, as is appropriate given the level of instruction given to the child

- that year. Test scores of students with disabilities are included at the grade level of their instruction, as determined by the IEP.
14. District accountability mirrors that of schools.
 15. End sanctions and move toward technical assistance and mentoring. State applies its own form of expectation/consequence so as to increase performance.
 16. Funding must be provided for all requirements of NCLB, including:
 - Rewards and recognition
 - Supplemental education services
 - School improvement strategies and state teams of mentors
 - Test development and administration, including all peer review requirements and rapid results
 - Standards development and administration
 - Regular and sustained professional development for teachers and administrators
 - Immediate interventions for students who struggle (at all schools, not just Title I schools)
 - Data collection, administration, management, and access for teachers, students and parents
 - Fully fund Title I to ensure that 100 percent of eligible children are served.
 17. Teacher and administrator certification is controlled by the state but must include close collaboration with higher education officials and colleges of education.
 18. Differentiated pay plans that reward needed endorsements or placements are used in state or district salary schedules. Further, such plans must include performance-based pay, using, as a part of such performance, student achievement results as a three-year pattern on state tests for every teacher and administrator.
 19. Teachers of Special Education and Youth in Custody as well as rural teachers, as approved by local boards of education, shall be fully certified and of quality if they have a related college or university degree and they are assigned to a level of instruction that does not supercede their level of state certification.
 20. ED must become absolutely transparent in its operations. Waivers, conditions, and regulations must be made public and criteria by which the ED makes decisions relative to states must be known ahead of submission of state information. Uneven approvals, state by state, must end.