

ACCOUNTABILITY

Background

NCLB continues the requirement initiated under the *Improving America's Schools Act of 1994* for State standards in reading/language arts and mathematics and assessments aligned to those standards. A new addition to the statute requires States to develop science standards by the 2005-2006 school year and science assessments by 2007-08 school year. In addition, NCLB requires States to develop and implement annual assessments of all students in grades 3 through 8 and once in grades 10-12 in math and reading by the 2005-06 school year. These annual assessments must be aligned with State content standards and meet additional quality requirements. Funds are authorized to develop these assessments and a program to improve assessment quality.

Adequate Yearly Progress (AYP) is a State-developed measure of progress for all districts and schools in the State. After the passage of NCLB, States had to define AYP in a manner that requires progress by disadvantaged subgroups of students, as well as the overall student population with the express purpose of narrowing of the achievement gap. States must define AYP so that all students are expected to improve, and that by 2014, all students will achieve at the State-defined "proficient" level on State reading and math academic assessments. In addition, in order for a school to make AYP, 95% of each subgroup must participate in the assessments. When NCLB was passed, states set the starting point, or initial goal, to reach 100 percent proficiency. States were required to set the initial goal for all students based upon the lowest-achieving demographic subgroup, or the lowest achieving schools in the State, whichever was higher. Once the initial goal was established, NCLB required the States to gradually increase the threshold of the percentage of students who must obtain proficiency in equal increments. The thresholds must be raised at least once every three years.

Prompts for Testimony

1. In what ways can the federal government ensure that achievement and/or content standards from state to state are roughly comparable? Or if they are not comparable, what can be done to ensure they are not compared?
2. In your experience, what aspects of the assessment and/or accountability system have proven to be the least effective in improving student achievement?
3. Response to Intervention (RtI), a provision of the *Individuals with Disabilities Education Act* (IDEA) as amended in 2004, has an early intervention prevention focus for students "at risk" for academic and behavior difficulties. How could/should this process be more clearly articulated in the reauthorization of NCLB?

California Department of Education
No Child Left Behind Reauthorization Public Meetings

4. NCLB requires states to include only currently designated as Students with Disabilities (SWD) in that subgroup. What are the advantages and disadvantages of including all students ever designated as SWD as part of that student subgroup for accountability purposes?
5. Do you believe NCLB and IDEA clearly articulate the priorities for working with students with disabilities? Does NCLB detract or contrast with the requirements of IDEA in any way?
6. Many have been critical of the expectation that 100% of students will be achieving at the proficient level by 2013-14. Do you believe that is a realistic goal? If not, what would you consider a rigorous yet realistic goal.
7. Do you think it is reasonable for a school to fail AYP if one subgroup misses the 95% participation requirement for the assessment? Have you had any experience where this happened due to circumstances that were entirely beyond the control of the school, such as large parental opt out?
8. In your experience, do you feel that it is useful to compare one year of students to another year of students (i.e., 2006 4th graders to 2005 4th graders) or do you think there is a more useful way to compare student progress?
9. Should the federal government recognize and give credit toward moving students from Far Below Basic, to Below Basic and to Basic? If so how should this be accomplished?
10. Mobility rates in alternative education programs are very high. How should the federal government reform NCLB to address this fact so that Alternative Ed. programs are given credit for the work they do with students who may be in their setting for limited amounts of time?
11. Should the 95 participation rate trigger a district or school into PI or should there be another sanction or requirement?
12. Should California implement an individual student growth model or "value added" model over time?
13. If California could use the API for AYP, what do you believe we need to do to modify the API?

TEACHER QUALITY

Background

NCLB requires each State to have a plan ensuring that all teachers are highly qualified by the end of the 2005-06 school year (now extended to June 30, 2007). Such a plan is required to include annual reporting of progress toward all teachers being highly qualified. Highly qualified is defined as having a bachelor's degree or higher, full State certification or licensure, and demonstrated subject matter competency by way of a licensure exam or completion of an academic major in the subject taught. States are required to set achievement objectives for local educational agencies (LEAs) regarding the number of highly qualified teachers and the quality of professional development.

Prompts for Testimony

1. What has prevented California and the rest of the nation from remediating the shortage of teachers in subject areas where chronic shortages have persisted for decades (i.e., science, mathematics, special education)? How can the federal government help to alleviate these shortages?
2. What incentives would be effective in recruiting highly qualified teachers to serve in subject areas such as special education, science, and mathematics in the lowest-performing schools?
3. What additional flexibility, alternatives, or options should be established for LEAs to promote an equitable distribution of NCLB-compliant teachers?
4. In what ways do you think the federal government could help facilitate an increase in the overall supply of new teachers who are highly qualified?
5. As you increase your effort to monitor the HQT requirements and improve teacher quality, do you find that you have the necessary infrastructure, tools, and resources? What, in your experience, would facilitate this process?
6. Should there be a different model of defining "highly qualified" for special education teachers in self contained classrooms and alternative education teachers teaching in self contained classrooms?
7. What effective ways could California spend the state share of Title II and other resources to offer opportunities for professional development for teachers to become "highly qualified" especially special education and alternative education teachers?
8. Should the state use some of its Title II funds to help defray the costs of teacher candidates taking the CSET or single subject exams that ensure they are "highly qualified?"

INTERVENTIONS AND CORRECTIVE ACTIONS

Background

NCLB requires states to annually assess student performance in meeting academic standards for reading and mathematics in grades three through eight and in grade ten. In order to make AYP, schools must demonstrate that all students, including disadvantaged and minority students, are achieving at the state-defined “proficient” level of achievement. Schools and districts that fail to meet their AYP goals are determined to be “in need of improvement.” Once this determination is made, a series of escalating interventions and eventually sanctions are imposed to enable the school or district to meet AYP.

Specifically, students in schools that fail to make AYP for two consecutive years are given the opportunity to transfer to another public school. If a school fails to meet AYP for a third year, certain students are given the option of receiving free tutoring (supplemental educational services) from state-approved providers which can include school districts, non-profit organizations, and for-profit companies.

For schools that continue to struggle, these interventions are followed by requirements to develop and implement school restructuring plans. Such plans include actions ranging from implementing a new curriculum to replacing all or most of school academic staff; entering into a contract with an outside organization to operate the school; re-opening the school as a charter school; restructuring the school’s governance and other actions.

Prompts for Testimony

1. The U.S. Secretary of Education is conducting a pilot for Program Improvement schools in certain states that will allow PI schools to offer Supplemental Educational Services the first year of identification. Is this an option that you believe would benefit students?
2. With regard to NCLB’s public school choice option, questions have arisen about district implementation struggles that have resulted in low participation rates among eligible children. What do you believe to be the most significant barrier to effective implementation of public school choice?
3. How might the stages of progression for school and district Program Improvement – and the criteria for advancement – be modified to allow states greater flexibility to target the most needy schools and districts with fiscal resources and technical assistance?
4. What additional options, alternatives, or remedies could be effective as local corrective actions for schools?

California Department of Education
No Child Left Behind Reauthorization Public Meetings

5. NCLB and California Education Code have some potentially severe sanctions for districts identified for Program Improvement and, ultimately, state corrective action. Some of these include: removing schools from the jurisdiction of the district; appointing a state trustee; restructuring or abolishing the district; authorizing students to transfer from a school operated by the district to a higher-performing school; instituting and fully implementing a new curriculum; deferring programmatic funds. As an alternative to these sanctions, what would you suggest that could genuinely help a school or district to “turn around”?
6. Schools not making AYP and identified for Program Improvement have at least 6 years before they need to plan for more severe changes through restructuring, yet districts not making AYP fall under state corrective action after only 4 years of failing AYP. What considerations are important when considering the length of time for districts to move along the accountability path?
7. How can NCLB be reshaped to ensure SES quality?
8. What should the state do to assist and support districts and county offices in Program Improvement and what should the state do to assist districts and county offices with large numbers of PI schools?

ENGLISH LEARNER ISSUES

Background

NCLB includes specific accountability for the English Learner (EL) subgroup. States are required to assess EL students each year to determine their progress in English language acquisition and their progress in meeting the State academic standards in reading/language arts and mathematics. The annual assessment of English language proficiency is administered to all EL students, grades K-12, and measures oral language, reading and writing skills in English.

States that receive Title III funds must:

- Establish English language proficiency standards.
- Conduct an annual assessment of English language proficiency.
- Define two annual measurable achievement objectives (AMAOs) for increasing the percentage of EL students' developing and attaining English proficiency.
- Include a third AMAO relating to meeting Adequate Yearly Progress (AYP) for the EL subgroup at the LEA level.
- Hold LEAs accountable for meeting the three AMAOs. (NCLB Section 3122)

An AMAO is a performance objective, or target, that LEAs receiving Title III subgrants must meet each year for its ELs. All LEAs receiving a Title III subgrant are required to meet the two English language proficiency AMAOs and a third academic achievement AMAO based on AYP information. Both English language proficiency AMAOs are calculated based on data from the California English Language Development Test (CELDT). In California, for accountability purposes, once EL students are redesignated fluent English proficient (RFEP), they remain in the EL subgroup until they score at the proficient level on the English/language arts California Standards Test for three years.

LEAs that generate less than \$10,000 must form a consortium in order to be eligible for Title III funding. In the past, the lead agency of the consortium was the fiscal agent but not the program agent. If an LEA within the consortium failed AMAOs, the LEA would need to notify parents in their LEA of their failure and accountability for each LEA remained at the LEA level. Each LEA in a consortium must submit a Title III Improvement Plan Addendum if they fail AMAOs for two consecutive years. New guidance makes the lead agency of the consortium both the fiscal and program agent. The data is aggregated up to the consortium lead and if the consortium fails. All LEAs within the consortium must notify the parents of the failure of the consortium even though their individual LEA may not have failed AMAOs. The consortium lead is responsible for submitting the Title III improvement plan addendum.

California Department of Education
No Child Left Behind Reauthorization Public Meetings

Prompts for Testimony

1. What are the strengths and weaknesses of the Title III accountability system?
2. Is it appropriate to hold consortium members accountable as a group for Title III accountability or should they be held accountable as individual members?
3. In what ways might the state corrective actions for Program Improvement districts be more effective in improving the services for English Learners?
4. Is it important to include the academic achievement AMAO in the Title III accountability system or is it redundant with the more general accountability requirements in NCLB?
6. What types of tools could both the federal government and state government provide to assist districts, schools, and teachers with instructional strategies in working with English learners?