

# FairTest

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National Center for Fair & Open Testing

## **SHOULD NCLB FORCE MOST SCHOOLS TO “FAIL”? A SOLUTION TO A LOOMING CRISIS**

Independent studies by highly qualified researchers in eleven states conclude that most schools will fail to make “Adequate Yearly Progress” (AYP) by 2014 under federal No Child Left Behind (NCLB) requirements. Below is a table showing, state by state, the results of these studies, followed by a brief discussion of the problem and a proposed solution. The sources for this table are then listed.

<b>State</b>	<b>Projections of percentage of schools failing to make AYP by 2014</b>
<b>California</b>	<b>99%</b>
<b>Connecticut</b>	<b>88 - 93%</b>
<b>Illinois</b>	<b>96%</b>
<b>Indiana</b>	<b>85% - 94%</b>
<b>Louisiana</b>	<b>75%</b>
<b>Massachusetts</b>	<b>74%</b>
<b>Michigan</b>	<b>50 - 100%</b>
<b>Minnesota</b>	<b>81 - 90%</b>
<b>Ohio</b>	<b>88%</b>
<b>Pennsylvania</b>	<b>77%</b>
<b>Wisconsin</b>	<b>84%</b>

### **DISCUSSION**

The evidence shows that so long as NCLB requires almost all students to score “proficient” by 2014, most schools in the U.S. will fail to make AYP. This is a function of the high standards for proficiency in many states (far above “grade level”), the unrealistic rate of improvement expected, and “Catch 22s” in the law such as those regarding English language learners (who are by definition not proficient). As a result, most schools will be sanctioned, often for factors they cannot control (e.g., an influx of students who do not speak English), sanctions are applied with little evidence they work, and educators labor in a counter-productive system of fear and frustration. Additionally, states and districts lack the capacity to work with large numbers of schools that are labeled as “failing” without any distinction between those that are improving steadily and those that are dysfunctional.

The House Education Committee reauthorization discussion draft addresses some of these issues. It differentiates the degree of sanctions based on the number of groups that do not pass; limits failure to situations in which the same group does not make adequate progress in the same subject for two or more years; and caps the number of schools to which a district must apply the most severe sanctions. However, these changes are not sufficient.

The real problem is that the goal that all children will score proficient in 2014 is totally arbitrary, lacks any evidence of feasibility, and therefore produces educationally questionable and harmful responses (such as

narrowing the curriculum) by those who bear the brunt of the sanctions. Unfortunately, the issue has become something of a “third rail” – officials do not want to be accused of leaving some children behind, even though the simple fact is that they are being left behind for many reasons, and the goal will not and cannot be met. It is time to implement reality-based expectations.

The necessary solution is to create a system in which consequences for schools or districts are based on reasonable expectations for progress. The Forum on Educational Accountability (FEA) has a simple “rate of improvement” (ROI) proposal. For example, states would:

- 1) Ascertain the average rate of increase over the previous three years in each Title I school in the state and rank the schools based on their rate of gain.
- 2) Based on this list, identify the school at the 65<sup>th</sup> (or other) percentile above the bottom.
- 3) The rate of gain by the school at that point shall become the target rate of increase for all Title I schools. In this example, 65% of the Title I schools would have 4-5 years to increase their rate of improvement to meet the improvement target. Incentives could be established to encourage schools above the rate to further improve.

The basis for the gain rate should include reading and math assessment results, results in other subjects, and results in other areas such as graduation and grade promotion rates, establishing a composite, weighted index on which improvement can be gauged. Each group can have its own rate, requiring greater improvement for low-scoring groups, which would lead to closing the achievement gaps. This concept also can include growth, status, or combined growth and status models. Other comparable solutions could be adopted if they: provide for the use of multiple measures; include all students; and use indicators of school progress that focus on continuous growth, with reasonable expectations for the required rates of improvement.

## SOURCES

### California:

CA Accountability page: <http://www.cde.ca.gov/ta/ac/ay/index.asp>

### Connecticut:

“Projecting AYP in Connecticut Schools” (2004)

<http://www.cea.org/nclb/upload/AYPCurtisFinal.pdf>

[http://www.cea.org/nclb/upload/Final\\_AYP\\_Report\\_Feb\\_06.doc](http://www.cea.org/nclb/upload/Final_AYP_Report_Feb_06.doc)

### Great Lakes Region: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

*The Impact of the Adequate Yearly Progress Requirement of the Federal “No Child Left Behind” Act on Schools in the Great Lakes Region, September 2005*

<http://epsl.asu.edu/epru/documents/EPSSL-0509-109-EPRU.pdf>

### Additional information for Illinois:

<http://www.ed.gov/admins/lead/account/stateplans03/ilcsa.pdf>. Fig. 4 on page 14

### Additional information for Minnesota:

Office of the Legislative Auditor, State of Minnesota. (February 26, 2004). [http://www.auditor.leg.state.mn.us/ped/2004/0404/v3\\_document.htm](http://www.auditor.leg.state.mn.us/ped/2004/0404/v3_document.htm)

<http://www.auditor.leg.state.mn.us/Ped/2004/pe0404.htm>

### Louisiana:

*NCLB: A Steep Climb Ahead: A Case Study of Louisiana’s School Accountability System*, Public Affairs Research Council of Louisiana, Inc., July 2004

<http://www.la-par.org/Publications/PDF/NCLBASTeepClimbAhead.pdf>

### Massachusetts:

*Facing Reality: What happens when good schools are labeled “failures”? Projecting Adequate Yearly Progress in Massachusetts schools.* <http://www.mespa.org/pdf/o5JuneAYP.pdf>

### Pennsylvania:

*Projecting AYP Results in Pennsylvania.* <http://www.qualityednow.org/pdf/PA-Report2005.pdf>

Forum on Educational Accountability materials are available at [www.edaccountability.org](http://www.edaccountability.org). See especially the report of the Expert Panel on Assessment, the FEA’s legislative recommendations, and its response to the House discussion draft. A more detailed presentation of state data can be obtained at [www.fairtest.org](http://www.fairtest.org).