



Education Reform 101

A Primer on the New Elementary and Secondary Education Act

Saba Bireda March 23, 2010

The Obama administration recently released its “Blueprint for Reform,” an outline of its proposal for the reauthorization of the Elementary and Secondary Education Act. The “blueprint” suggests a number of significant revisions to the current iteration of the law, the No Child Left Behind Act. It emphasizes the administration’s goal of preparing all students for college or a career through the implementation of rigorous state standards. It revises the accountability structure to reward schools, districts, and states that make steady progress in increasing student achievement. It offers districts flexibility in spending funds on human capital development in exchange for much-needed reforms to teacher and principal evaluation systems. And it reflects the administration’s strategy of encouraging innovation in all areas of government.

How are state standards determined?

NCLB: The current law requires that states adopt “challenging” academic content and achievement standards for English language arts, mathematics, and science. State academic content standards must specify what students are expected to know and do at each grade level. The law imposes no requirements on the content or rigor of the standards developed by states. This has led to a wide variation in the quality of state standards.

Blueprint: Rigorous state standards are integral to the success of the law’s other reforms. The administration’s new ESEA recognizes this and would require states to develop and adopt standards in English language arts and mathematics that prepare students for “college and career readiness” by high school graduation. States have two options in meeting this requirement. First, those states that choose to retain their current standards are directed to work with their public university system to ensure that the standards adequately prepare students to enter college without remediation. Or states can work together and collaboratively develop new common standards, similar to the recent efforts of the National Governors’ Association to formulate “common” standards. These new standards will guide state efforts to reach the administration’s goal of all students graduating “college and career” ready by 2020.

How is student progress measured?

NCLB: States are required to implement an assessment system that measures students' mastery of the state standards described above. The law does not require states to use a certain type of test but does require tests to be "peer reviewed." Again, quality varies across states because states are permitted to choose their testing instrument.

Students in grades three through eight must be tested annually in reading, math, and science. The state is responsible for determining the scores students must achieve to be classified as advanced, proficient, or basic. This data is then disaggregated by student subgroup: racial and ethnic groups, low-income students, students with disabilities, and students with limited English proficiency.

Blueprint: The blueprint suggests that states implement "high-quality statewide assessments" in English language arts and math that align with newly developed state standards. States will receive formula grants to develop these assessments. The blueprint proposes that only those states that have implemented assessments based on "common" state standards by 2015 will receive formula funds in an effort to create consistency across state accountability systems.

States will continue to collect disaggregated data on student achievement in English language arts and math, science, and other subjects determined by the state. At the high school level, states will also collect data on graduation rates, college enrollment rates, and rates of college enrollment without remediation. A system of "performance targets," created at the state level and based on school and subgroup growth and graduation rates will replace NCLB's three-tiered absolute measurement of advanced, proficient, and basic performance.

How are schools held accountable for student performance?

NCLB: The current law measures school performance by how many students make "adequate yearly progress," a standard defined by how many students in the school score "proficient" on the state assessment each year. States set proficiency rates for AYP with the goal of having 100 percent proficiency by 2014. Schools are required to show that all students, including those in statistically significant subgroups, make AYP every year. A "safe harbor" provision lessens the law's stringent demands by allowing schools that reduce the number of proficient students by 10 percent annually to "make" AYP. Many schools have relied on this method to make AYP even though their rate of progress under the provision will never reach the 100 percent proficiency goal.

If a school fails to make AYP, it enters a graduated sanction system with increased interventions for every year that the school misses the AYP mark. Schools in the early stages of the system have wide discretion in the type of interventions they choose to employ in their "school improvement plans." Schools must also offer students the option to transfer

to better performing schools in the district. If student performance does not improve after three years, schools are required to provide supplemental educational services for low-income students. In the final stages of the sanction system, schools must choose from more dramatic reforms such as restaffing or implementing a new schoolwide curriculum. Districts must “restructure” schools that remain consistently low performing whether by conversion to a charter school, replacing the school staff, transferring management to an outside provider, or another strategy selected by the state.

Blueprint: The Obama administration has responded to a major criticism of NCLB—the lack of differentiation between schools showing some progress and those consistently failing—by envisioning an accountability system that recognizes individual student growth and schoolwide progress over time. The blueprint also distributes responsibility for student performance across the school, district, and state level.

Under this new system, schools, districts, and states that make major inroads in turning around low-performing schools or significantly increasing student performance are recognized for their progress. The blueprint proposes that states receive funds to assist these “reward” districts so that schools can continue their efforts.

The blueprint also sets up a system to identify “challenge” schools, districts, and states. The lowest-performing 5 percent of schools in each state will be designated as “challenge” schools, and districts will be required to implement turnaround models at those schools. The next 5 percent of low-performing schools, and schools not closing persistent achievement gaps, will also be identified as “challenge” schools and must undertake research-based, locally determined reforms to improve.

Unlike NCLB, this accountability system also recognizes success and shortcomings at the district and state level. “Reward” districts and states will have greater flexibility in addressing the needs of their lowest-performing schools while “challenge” districts and states may face restrictions on the use of federal funding until they show improvement. Superintendents in “challenge” districts may be dismissed if they do not provide adequate support to schools, principals, and teachers.

How does the law address teacher quality?

NCLB: NCLB introduced the “highly qualified” teacher standard, which demands that all teachers in “core academic subjects” have a bachelor’s degree, state certification, or equivalent status, and a “demonstrated” knowledge in their content area.

Blueprint: The blueprint shifts the law’s emphasis from “highly qualified” to “effective” teachers. States are required to develop new definitions of effectiveness based in significant part on student growth, but will continue to comply with the “highly qualified” provision in the interim. Districts must implement new evaluation systems that reflect state

standards for effectiveness and differentiate teachers and principals across at least three performance levels—as opposed to the customary “satisfactory-unsatisfactory” rating system. States must also for the first time begin tracking the performance of graduates from teacher and principal preparation programs.

How does the law help provide high-need schools with access to effective teachers?

NCLB: States must ensure that “poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers.” The Department of Education required all states to submit an “equity” plan in 2006 demonstrating their progress on this issue.

Blueprint: The Obama administration’s proposed Teacher and Leader Innovation Fund will offer competitive grants for states and school districts to apply aggressive strategies to recruit and retain effective teachers and leaders in high-need schools. Grantees can use funds in a number of ways—for example, to reform compensation systems to attract teachers to high needs schools or restructure hiring processes to give schools an earlier start on teacher recruitment.

States will continue to submit plans focused on the equitable distribution of effective teachers while districts will be required to use a portion of their capacity building funds for these efforts. The blueprint suggests that the Department of Education will monitor improvement, and districts that do not show progress will lose flexibility in spending funds under the teacher and principal section of the law.

How does the law address funding challenges for high-poverty schools?

NCLB: NCLB includes a provision requiring districts to offer “comparable” services at Title I and non-Title I schools. The current NCLB language does not require districts to compare actual expenditures, and teacher salaries—one of the largest expenditures at the school level—are exempted from any comparability calculation.

Blueprint: The administration’s proposal addresses the oft-ignored “comparability loophole” that allows districts to receive federal funds while ignoring gross funding inequities between high- and low-poverty schools. Districts will be required to show that their state and local funding levels—measured by personnel and relevant nonpersonnel expenditures—are comparable at high- and low-poverty schools. States will also have to measure and report on resource inequities.

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