



Refine NCLB so No Child is Left Behind

The federal No Child Left Behind Act was created in 2001 to insure that all children in all schools were achieving academic success, but its implementation created new problems.

To improve the law, the Education and Labor Committee of the House of Representatives is proposing a number of changes.

These changes constitute a document, even longer and more complex than the original legislation, that causes **GRAVE CONCERNS-**

- * **Increased infringement on state and local Constitutionally guaranteed rights;**
- * **Increased numbers of expensive mandates on state and local institutions with no guarantee of financial support to pay for them.**

	The 2001 NCLB Act penalizes:	As mentioned in the HR proposal	New or remaining issues in proposed revision
Students	<ol style="list-style-type: none"> 1. By only offering one type of exam (timed, paper and pencil). 2. By testing non-English-speaking students after only one year in a school. 3. By expecting students with disabilities to perform at the same level as all others. 4. By forcing districts to reassign valuable staff to comply with NCLB-mandated report processing requirements, thereby reducing their time spent with students. 5. By not recognizing regional differences in ability to recruit and retain "highly qualified" teachers. 	<ol style="list-style-type: none"> 1. Multiple state-developed measures in additional subject areas, and growth models (Title I, Part A) 2. Alternative measures, accommodations, and more realistic timetables for subgroup inclusion (Title I, Part A/ ELL) 3. Provides alternatives (Title I, Part Students with Disabilities) 4. Increased data collection and complicated reporting required in all sections (Title I) 5. New rules about hiring and assigning teachers (Title I, Part A- School Improvement/ Redesign); bonus pay (Title II) 	<ol style="list-style-type: none"> 1. Provides improved options but creates additional complicated reporting requirements. 2 & 3. Serious penalty (loss of 25% of administrative funding) if states do not develop reliable new assessment system for ELLs within 2 years (another costly mandate). 4. The amount and complexity of reporting is actually increased in this revision of a law that already required too much reporting, thus forcing both LEAs and state education agencies to redirect time for compliance activities. 5. Does address need for teacher training and mentoring but not how this cost will be funded. Ignores NYS labor laws about negotiated working conditions and assignments. Title II grant requires local matching funds, making it impossible for the neediest districts to access the funds.

	The 2001 NCLB Act penalizes:	As mentioned in the HR proposal	New or remaining issues in proposed revision
Schools	<p>1. By labeling high performing schools as “In Need of Improvement” because of the results for one subgroup.</p> <p>2. By not counting students that graduate a year ahead or a year behind their cohort.</p> <p>3. By requiring that scores of transfer students be included with a school’s results after such students have attended the new school for as little as five months.</p>	<p>1. Establish separate groups for schools in need of some and much improvement (Title I, Part A- School Improvement/Redesign)</p> <p>2. Allows flexibility in time needed to graduate (Title I, Part A- Longitudinal Data Systems)</p> <p>3. Only migrant children discussed (Title I, Part C- Migrant Education)</p>	<p>1. This is an important and helpful change. Also good is the limiting of the mandate to offer supplemental educational services and school choice to schools needing much change.</p> <p>2. Graduation Promise Fund promises money to help struggling schools to improve graduation rates, but based on past unfulfilled promises, the federal funding stream is not reliable.</p> <p>3. Transfer students do not always bring the same level of skills as those enrolled for a longer period. It is unfair to hold districts accountable for academic performance of transfer students before the district has had time to affect their learning.</p>
Districts	<p>1. By falling short on the federal promise of funding, leaving districts with high costs for needed materials, scoring the exams, and testing coordination.</p> <p>2. By reducing local control, (e.g., requiring that all those receiving low scores on mandated tests receive Academic Intervention Services, rather than allowing districts to best allocate teacher time based on needs.</p> <p>3. By making AYP dependent upon performance of every subgroup (less likelihood of AYP among more diverse communities of students).</p>	<p>1. New requirements without mention of additional funding, as well as several new funding streams, i.e., Graduation Promise Fund, incentives for states to review and update standards (Title I, Part A)</p> <p>2. Establishing separate groups for schools in need of some and much improvement eases this burden for some districts, but not for those most in need of support (Title I, Part A- School Improvement/Redesign)</p> <p>3. Issue not addressed</p>	<p>1. New federal spending must be offset by reductions elsewhere in the education budget. Recent history shows that promised federal funding does not materialize, meaning that cost of new requirements will be borne by local property taxpayers.</p> <p>2. Proposal continues to infringe upon local control by requiring some programs to the detriment of other successful programs that local districts have developed.</p> <p>Also, the specified solutions are costly to implement and there is no provision for funding.</p> <p>3. Success for any school or district is still dependent upon performance of every subgroup, still leading to more difficulty in making AYP in districts with more diverse communities of students.</p>
States	<p>1. By rigid sanctions that emphasize punishment and privatization rather than assistance and support.</p> <p>2. By inconsistently granting waivers without publicizing opportunities for all states to apply for them.</p>	<p>1. Some assistance offered to schools labeled as in need of improvement (Title I, Part A- School Improvement/ Redesign)</p> <p>2. Issue not addressed</p>	<p>1. Rigid sanctions remain that will lead to further punishment and privatization.</p> <p>2. Inconsistency in granting waivers remains.</p>
New		<p>School districts must involve parents in developing policies, goals, and reforms—and demonstrate how this parental involvement will occur. (Title 1, Part A- Parental Involvement)</p>	<p>Provisions for involving parents completely ignore elected local school district leadership</p> <p>Provides no measure of parental accountability</p>

MCSBA applauds the House of Representatives for wanting to improve the No Child Left Behind Act. BUT, the proposed HR changes leave a number of serious concerns.

WE BELIEVE:

- ★ While we support using a value-added model that measures real growth for each student, the proposed HR growth model appears too cumbersome to implement.
- ★ Students should be enrolled in a district for at least two years before their schools are sanctioned for their performance on mandated tests.
- ★ Schools should not be penalized for having students who graduate one year before or after their cohort.
- ★ The “School in Need of Improvement” designation must be limited to schools that are truly not succeeding with the aggregate of their students. The HR proposal to separate schools in need of major improvement from those needing minor improvement is a step in the right direction.
- ★ The federal government has yet to financially support the current NCLB Act as planned. The increased numbers of expensive mandates in the HR proposal add to the unmet need for federal funding.
- ★ Local and state control should be returned. In New York State, districts are required to develop and pass their annual school budgets; they should be able to fully determine how their funds are used to maximize student achievement. The proposed HR changes still infringe on Constitutionally guaranteed state powers.
- ★ The scope of NCLB should not be extended until identified deficiencies with the law are resolved.
- ★ The deadline for compliance with NCLB should be extended beyond the original 2014 date.
- ★ The principle of “scientifically proven” must apply to all NCLB assumptions.

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