

NO CHILD LEFT BEHIND - USA
APPENDIX - A look at California, Chicago and New York.
(May 2006)

Background

The principles of No Child Left Behind date back fifty years to *Brown v Board of Education*, when the US Supreme Court outlawed racial segregation in public schools and determined that the separate but equal doctrine was unconstitutional. (http://www.ed.gov/nclb/overview/intro/guide/guide_pg12.html).

Just after the passage of the Civil Rights Act in 1964, the landmark Elementary and Secondary Education (ESEA) Act passed by President Lyndon B. Johnson became law in 1965.

The Improving America's Schools Act of 1994 required significantly more testing and accountability. It required states to have academic standards, testing and disaggregated reports to determine whether disadvantaged students were making adequate yearly progress. However, the accountability provisions in the 1994 act were not strongly enforced. While most states had some level of standards and testing, school sanctions were rare and state sanctions were non-existent. By the end of the Clinton administration, only seventeen states were in full compliance. (Kater, 2004, p.2 and 3).

Goals 2000, the previous law, was essentially the federal system restating the principles of Outcomes Based Education (OBE) which helped to prompt many states to adopt performance based tests, along with other controversial methods of teaching reading, mathematics and science. The key to OBE was the concept of measuring quality and implementing processes which would result in continual improvement.

The statistics outlined below and prepared by The National Assessment of Educational Progress prompted this educational reform.

- In high poverty schools, nearly 70% of fourth – graders were unable to read at a basic level.
- The average reading scores for seventeen year olds had not improved since the 1970's.
- In 1988, 60% of twelfth graders were reading below proficiency.
- This trend of low performance in schools reached back more than two decades during which time tax payers spent \$125 billion on elementary and secondary education.

(<http://www.ed.gov/nclb/accountability/ayp/testingforresults.html>)

The No Child Left Behind Act of 2001 is the latest in a number of federal laws implementing education reform. The aim of the act is to improve the performance of America's primary and secondary schools by increasing the standards of accountability for states, school districts and schools as well as providing parents more flexibility in choosing which schools their children will attend. Additionally, it promotes an increased focus on reading and re-authorises the Elementary and Secondary Education Act of 1965.

(http://en.wikipedia.org/wiki/No_Child_Left_Behind).

The act was signed into law on 8 January 2002 by President Bush. In essence it is a national extension of the standards-based education reform efforts undertaken in Washington since 1993. (<http://www.K12.wa.us/ESE>). No Child Left Behind made the most sweeping changes in federal law regarding public schools in nearly 40 years. (<http://dese.mo.gov/divimprove/nclb/QandA.html>). The law covers all public schools in all states of the US and some private schools. The No Child Left Behind law is up for renewal in September 2007.

What is No Child Left Behind?

The new law redefines the federal government's role in kindergarten through to grade 12 education. (<http://www.ed.gov/nclb/accountability/ayp/testingforresults.html>)

The major focus of No Child Left Behind is to provide all children with a fair, equal and significant opportunity to obtain high quality education.

(<http://www.K12.wa.us/ESA>). The law aims to have all students performing at proficient levels on challenging state academic achievement standards and state academic assessments in mathematics and reading by 2014. The intent of the No Child Left Behind legislation is to close achievement gaps between students who are of different genders, belong to minority groups (Asian and Pacific Islander, African American, Hispanic, American Indian, White), have disabilities (IEP – Special Education), are economically disadvantaged (Free/Reduced Lunch) or have limited English proficiency (LEP).

To accomplish this No Child Left Behind addresses four principles:

- Accountability for student academic achievement
- Increased flexibility and local control of federal education dollars
- Expanded options for parents
- Implementation of scientifically proven programs and teaching methods. (http://www.nctm.org/news/articles/2002 - 11nb_nochild.htm).

As a condition of receiving federal aid, the law places three key requirements on the states:

- to assess the performance of all students annually in grades 3 through to 8 and once in high school against state – determined proficiency standards in maths and reading. This includes schools designing an accountability plan
- to disclose the results to the public
- and, to sanction and eventually intervene in schools and districts where students (or one of several sub groups) fail to meet state wide performance goals.

To summarise No Child Left Behind mandates that every US state adopt comprehensive accountability systems for identifying and improving underperforming schools.

Accountability

In a 2002 presentation on '*Education Reform 201*' the need for accountability in US schools was outlined:

- A significant achievement gap exists in America between disadvantaged students and their more affluent peers.
- Despite hundreds of billions in Federal spending since 1965, the achievement gap has not closed.
- Nearly two-thirds of African-American children in the fourth grade cannot read at a basic level.

- US students lag behind their international peers in key subjects. (International comparisons place the US at the top in per student expenditure but near the bottom - 24th out of the 29 OECD countries participating in recent assessments of mathematics and literacy among 15 year olds.) (<http://www.brookings.edu/comm/policybriefs/pbl149.htm>)
- Federal education policy lacks focus and has never insisted on results.

Therefore, each state is responsible for deciding what their students should learn in each grade and developing their own rigorous academic standards for what a child should know in reading and maths in grades 3–8. ‘Schools are expected to use research–based practices and materials to meet state standards. Federal funding will go only to programs that are backed by evidence.’

(http://www.nctm.org/news/articles/2002-11nb_nochild.htm)

States have some flexibility as to what is tested and when. The No Child Left Behind bill specifically prohibits any national testing or federally controlled curriculum. The test regime includes computer based multi choice questions, work samples and written tests. With those standards in place, annual student progress and achievement are measured according to state tests designed to match the curriculum and state standards. The testing provides an external, independent measure of what is going on in the classroom. Further, state assessments must be disaggregated within each state, local education agency and school by student subgroups. The results of the tests can be used to direct resources. States had until the 2005–2006 school year to develop and implement their tests. ‘Therefore by 2007, students will be tested annually from grades 3 to 8 in reading and maths, tested twice in the elementary grades in science, and then in reading, maths and science at least once in grades 10–12.’ (<http://www.ericdigests.org/2004-2/behind.html>)

The NCLB law puts reading first for all children in US schools and is funding two reading programs, Reading First and Early Reading First. The programs are based on scientific research that shows what kinds of rewarding instruction are most likely to get good results. It is anticipated Reading First will help kindergarten through to third grade teachers improve reading instruction and Early Reading First will assist preschool teachers get children ready to read well.

(<http://www.emsc.nysed.gov/deputy/nclb/parents/facts/eng/eng-overview.html>).

Each state is required to produce an Educational Accountability Plan. The plan details how and under what timeline states planned to achieve full proficiency toward state academic content standards. The plans were due to the US Department of Education in 2003. The plans also addressed how states intended to close achievement gaps. States received a workbook to help simplify and guide the process of preparing and submitting their plans.

Quality Teachers and Para Professionals

According to No Child Left Behind success for students ultimately depends on good teachers. All teachers of core academic subjects must be highly qualified by the end of the 2005–2006 school year. ‘Highly qualified’ means the teacher holds a bachelor’s degree, demonstrates competencies as determined by the state’s requirements and demonstrates subject area mastery by having their college degree in the subject they teach or passing a state test on the subject. To ensure that this is possible, flexible spending is available for professional development and class reduction. No Child Left Behind gives states funding to spend on preparing, training and recruiting teachers, however in order to be eligible for this funding, states must develop a local improvement plan. These plans outline exactly what will be done to ensure that all teachers are highly qualified. Plans are required by law to include research based professional development activities and measurable annual

objectives. States will assist districts develop their plans by conducting need assessments of teachers. (http://www.nctm.org/news/articles/2002-11nb_nochild.htm)

'Para professionals must have completed two years at an institution of higher education, obtained an associate's or higher degree or have met a rigorous standard of quality, and can demonstrate through a formal state or local academic assessment, knowledge of, and the ability to assist in instructing.'
(<http://www.csba.org/nclb/nclb.htm>)

Role of the Superintendent

Superintendents of districts have three main identified roles:

- Instructional: responsibility for improving student achievement.
- Managerial: keep districts operating efficiently however having the capacity to take risks to make necessary changes.
- Political: negotiate with multiple stakeholders to get approval for programs and resources.

The introduction of the No Child Left Behind law, has heightened the superintendent's instructional role by requiring from the superintendent an in depth understanding of instructional strategies, coaching techniques and use of data to guide decision making. 'This does not require superintendents to immerse themselves in the details of instructional planning and execution but they must be knowledgeable enough to hold principals and teachers accountable for effective practice.' (Lashway, 2002, p.4). 'Superintendents must oversee and evaluate training for personnel in research-based methods and curricula. They must also ensure that all the paraprofessionals in Title 1 schools are working in appropriate capacities and meet minimum education and knowledge requirements.' (Heath, 2004, p.3 and 4).

The gap has widened between accountability and authority for the superintendent. '...the law strengthens deregulation by mandating various kinds of parental choice in schools that fail to demonstrate adequate yearly progress. In addition, corrective actions for low performing schools must be based on 'scientifically based research' adding another layer to the decision making process.' (Lashway, 2002, p.4).

Superintendents must deal with student populations that fluctuate annually as school choice options change. These changes will affect schools that have to offer school choice and schools that do not accept Title 1 funds. If the students in a district are eligible for supplemental services, the superintendent must firstly notify the parents involved about supplemental services information, contract with providers, monitor goals for each student, monitor the effectiveness of service providers and pay service providers according to their individual payment requirements. (Heath, 2004, p.4).

The No Child Left Behind law may affect the superintendent's relationship with the board. The adequate yearly progress standard is specific, objective and highly visible, with the outcome possibly having a major consequence for the district. (Lashway, 2002, p.4).

Titles 1 -10

The major reforms in the No Child Left Behind Law are organised under ten titles.

Title 1 – Improving the Academic Achievement of the Disadvantaged

A Title I school is a school that receives Title I money, the largest federal funding source for education. Title I began with the passage of the Elementary and Secondary Education Act (ESEA). Many of the requirements in No Child Left Behind are outlined in Title I: Adequate Yearly Progress, paraprofessional requirements, accountability, sanctions for schools designated for improvement, standards and assessment, annual state report cards, professional development and parent involvement. It is intended to help ensure that all children have the opportunity to obtain a high quality education and reach grade level proficiency. Title I funds help students who are behind academically or at risk of falling behind. Services can include: hiring teachers to reduce class size, tutoring, computer labs, parental involvement activities, purchase of materials and supplies, pre kindergarten programs and the hiring of teacher assistants or others.

Title I funding is allocated on the basis of student enrolment, census poverty and other data. The US Department of Education distributes these funds to State Education Authorities (SEA) that in turn distribute the funds to Local Education Agencies (LEA) or school districts.

Funding supports Title I school wide programs and targeted assistance schools, depending on the level of poverty in the school and how the school wants to function.

School wide programs have flexibility in using their Title I funds in conjunction with other funds in the school to upgrade the operation of the entire school.

Targeted assistance schools use Title I funds to focus on assisting the students most at risk of academic failure on state assessments.

(<http://www.ncpublicschools.org/nclb/title1/>) and
(<http://www.ncpublicschools.org/nclb/faqs/title1/>)

Title II - Preparing, Training and Recruiting High Quality Teachers and Principals

This federally funded program provides to school districts and state operated programs to promote teacher, principal and paraprofessional quality through strategies such as high quality professional development and initiatives.

(<http://www.ncpublicschools.org/nclb/title2/>)

Title III – Language Instruction for Limited English Proficient and Immigrant Students

The study report titled '*Year 4 of the No Child Left Behind Act*' provided by the Centre on Educational Policy, reports states have made progress in implementing key provisions of Title III of the No Child Left Behind Act, the program to help English language learners attain proficiency in English. Forty nine states reported having an English language assessment, and thirty eight said they have annual measurable objectives (AMO's) for English language learners.

Title IV – 21st Century Schools

Title IV includes safe and drug free schools and communities, national programs for crime prevention, reduction of alcohol abuse, gun free requirements, non smoking policy and 21st century community learning centres.

Title V – Promoting Informed Parental Choice and Innovative Programs

The promotion of state and local innovative programs, public charter schools, magnet schools assistance, star schools, physical education and funding for the improvement of education are included in Title V.

Title VI – Flexibility and Accountability

Improving academic achievement, state and local flexibility and rural education initiatives are the focus of Title VI.

Title VII – Indian, Native Hawaiian and Alaska Education

Title VII addresses the provision of education for Indian, Native Hawaiian and Alaskan children, including gifted and talented programs and grants.

Title – VIII – Impact Aid

Construction, facilities and payments for eligible federally connected children are included in Title VIII.

Title IX – General Provisions

Included in Title IX is flexibility in the use of administrative and other funds, coordination of programs, consolidation of state and local plans and applications; and unsafe school options.

Title X – Repeals, Redesignations and Amendments to Other Statutes

Homeless Education Assistance Improvements – The Education for Homeless Children and Youth program is intended to ensure that the 800 000 children and young people left homeless in the US each year does not cause these children to be left behind at school.

<http://www.ed.gov/admins/lead/account/nclbreference/index.html>

Adequate Yearly Progress

An essential element of No Child Left Behind is Adequate Yearly Progress. (AYP). To achieve the goal of all children being proficient (as defined by each state) by 2014, all public schools and districts must make satisfactory improvement each year towards that goal. (<http://dese.mo.gov/divimprove/nclb/QandA.html>). The federal law is highly prescriptive about how AYP is determined and this is demonstrated through the test scores. The goal is 100% proficiency for all groups of students and anything less means children will be left behind.

Sub groups are exempt from meeting the AYP goals if there are thirty or fewer students in the sub group. In an IEP (Special Education) and LEP (Limited English Proficiency) group there must be at least fifty students for them to be accountable for AYP. 'The federal definition of AYP is not a value-added or growth model measure of progress for individual students, but rather it requires cross-cohort comparisons of the percent of students meeting the proficiency standards this year compared to last year's percent proficient. If this percentage of proficient students for a district or a school is not sufficiently greater than last year's percentage, then this school or district will have failed to meet the AYP requirement.' (Sanders, 2003, p.1).

The states themselves decide what an adequate rate of progress for each group is. Title I schools that fail to achieve the AYP in the same subject area may be subject to various 'school improvement', 'corrective action' or 'restructuring measures.' As a result of the testing and consequent failure to reach the AYP two years in a row in the same subject, a Title I school is determined to be in need of improvement and the students have the right under law to transfer to another higher performing school

within their district. Their previous school must bear the cost of transportation of the children to their new school and parents can receive \$300 – \$1000 in funds for services such as tutors, after school or weekend help or summer school classes.

'Immediately after identification, these schools will receive additional funding and/or technical assistance to improve performance; they are not 'punished'. Within three months of identification a Title 1 school must develop a two year school accountability plan in consultation with parents, school staff, district and outside experts.

A school accountability plan includes strategies for improving student performance, how and when improvements will be implemented, use of state funds, request for waivers etc. Districts must review the plan using a peer review process within forty five days upon receiving the document and approve it if it meets the statutory requirements. These schools would also be eligible to receive federal funds for the school improvement activities.

If the school doesn't make adequate yearly progress for three consecutive years in the same subject, the school remains in school improvement and the district must continue to offer public school choice to all students in the school in need of improvement and provide low achieving disadvantaged students within the school supplemental services from a state approved provider of their choice.

If a school does not make adequate yearly progress for four consecutive years in the same subject, the district must implement certain corrective actions to improve the school, such as replacing certain staff or fully implementing a new curriculum, as well as continuing to offer public school choice and provide supplemental services. For a school that does not show adequate progress after five and six years in the same subject, it would be identified for restructuring and would have to develop a plan and make the necessary arrangements to implement significant alternative governance actions, state takeover, the hiring of a private management contractor, converting to a charter school, or significant staff restructuring which could involve replacing most or all of the school staff. Public school choice and supplemental services continue to be required.' (Boehner, 2004, p.14). Underperforming schools may avoid such measures if they can demonstrate a 10% reduction in the number of students that are not meeting the annual proficiency goals.

<http://www.pbs.org/wgbh/pages/frontline/shows/schools/nochild/nclb.html>

The law states that parents in Title I schools:

- Must be a part of developing a written parent involvement policy that is distributed to all parents and to the local community and announced at an annual meeting.
 - Have a right to be involved in the planning and implementation of the parent involvement program in their school.
 - Can receive materials and training for parents and staff to foster greater parent involvement.
 - Must have the opportunity to jointly develop with school staff a school – parent compact that outlines how parents, the whole of the school staff and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the state's high standards.
- <http://www.ncpublicschools.org/nclb/faqs/title1/>

'If a Title I School Improvement school makes AYP for two consecutive years, it exits school improvement and is no longer subject to sanctions. Students who exercised public school choice are allowed to stay at the school they transferred to, but Title I is

no longer responsible for transportation. If a school makes AYP in any one year after entering Title 1 School Improvement, it does not move to the next level of sanctions, but then if the same school doesn't make AYP the year after it made AYP it moves to the next level of sanctions'.

[\(http://www.ncpublicschools.org/nclb/faqs/title1/\)](http://www.ncpublicschools.org/nclb/faqs/title1/)

'In addition, Title I schools are required to notify parents of their rights to receive certain information. Parents may request information concerning the professional qualifications of their child's teacher including the degree held, certifications held and whether the teacher is certified in the area he or she is teaching. Title I schools must notify parents if their child has been assigned or has been taught for at four consecutive weeks by a teacher who does not meet the 'highly qualified' definition. Parents may also request information concerning whether or not their child is receiving instruction by teacher assistants and if so their qualifications.'

[\(http://www.ncpublicschools.org/nclb/faqs/title1/\)](http://www.ncpublicschools.org/nclb/faqs/title1/)

Non – Title 1 schools that do not make AYP do not face sanctions, however these schools must amend their school improvement plans to indicate how they will improve. All public schools are affected by the No Child Left Behind testing requirements, highly qualified teacher standards, reporting to and notifying parents and the public and AYP accountability.

[\(http://www.ncpublicschools.org/nclb/faqs/title1/\)](http://www.ncpublicschools.org/nclb/faqs/title1/)

National Assessment of Educational Progress

Based on the criteria included in No Child Left Behind, the Department of Elementary and Secondary Education has established specific annual targets for reading and maths. (<http://dese.mo.gov/divimprove/nclb/QandA.html>).

'Each state's test results will be compared against an independent benchmark called the National Assessment of Educational Progress (NAEP), which will be given to a small sample of each state's fourth and eighth grade students in reading and maths every year. This provision known as NAEP comparability is supposed to ensure that states are not setting the bar too low on their standards and tests. That is if a state shows progress on its state wide test results but does not show comparable progress on the NAEP suggest that the state's standards and tests are not challenging enough. The final legislation, however, does not provide for any penalties if a state's test scores fall behind relative to its NAEP results, but does require that the comparative results will be made public.'

<http://www.pbs.org/wgbh/pages/fronline/shows/schools/nochild/nclb.html>)

Reporting

At the commencement of every school year, the school district must notify each parent of a child attending a Title 1 school the achievement level of the child on the state's tests. This information must be an individual descriptive and diagnostic report.

States must provide parents and the public with annual report cards, which include information on student achievement disaggregated by subgroups.

Rewards for High Performing States and Schools

In George Bush's address to Congress in 2001 which outlined the NCLB education reform, support in the form of rewards for high performing states and schools was announced. The rewards are organised into three categories:

- States that implemented annual reading and maths assessment in grades 3–8 prior to the second year of the implementation of NCLB were eligible to receive a one off bonus.
- Prior to the introduction of the NCLB education reform, schools were rewarded through the Blue School Program. Now, the Secretary of Education recognises and rewards schools financially with the ‘No Child Left Behind’ bonus that make significant progress in closing the achievement gap
- The Achievement in Education fund rewards high performing states that have shown the greatest progress in closing achievement gaps and improving English proficiency. Performance improvement is evaluated using state assessment results. The results are confirmed with other indicators of academic achievement and the NAEP.

STRENGTHS - No Child Left Behind

Testing

- ‘Measures student performance: a student’s progress in reading and maths must be measured annually in grades 3–8 and at least once during high school via standardised tests’.
- ‘The law is having its intended effect of raising not only test scores, but also students overall preparedness for the global economy.’ (Marks, 2005, p.1).
- ‘A good evaluation system provides invaluable information that can inform decision making in the classroom, the school, the district and the home. Testing is about providing useful information and it changes the way a school operates.’ (US Department of Education, 2004, p.5).
- ‘The generally positive results seen from test based accountability systems – states that adopted such systems in the 1990’s significantly improved their relative standing on the federally administered National Assessment of Educational Progress – suggest that the law’s general approach makes sense.’ (West, 2005, p.3).
- ‘Testing information enables teachers to know whether students are mastering the material. The data is useful for school leaders in making management decisions and for parents in choosing schools and monitoring their children’s progress.’ (Kater, 2004, p.2).
- In 2005, NCLB allowed alternative assessments for two percent of students with ‘persistent academic disabilities’.
(<http://www.asbj.com/evs/06/NCLB.html>)

Accountability

- ‘Introduces an element of accountability into public school education and the expenditure of public funds for education.’
- Requires schools and districts to focus their attention on the academic achievement of traditionally under served groups of children, such as low–income students, students with disabilities and minorities. Many previous state created systems of accountability only measured average school performance, allowing schools to be highly rated even if they had large achievement gaps between affluent and disadvantaged students.
- Gives options to students enrolled in schools failing to meet AYP. If a school fails to meet AYP targets two or more years running, the school must offer eligible children the chance to transfer to higher performing local schools, receive free tutoring or attend after school programs.
(http://en.wikipedia.org/wiki/No_Child_Left_Behind)
- ‘NCLB forces schools to be in a mode of continual improvement, raising the bar. The law now requires us to look at every sub group. I actually think that’s

an extremely positive thing. We are never going to overcome the achievement gap until we do this.' (Marks, 2005, p.3).

- In a strong accountability system, the curriculum is driven by academic standards, and annual tests are tied to the standards. With this in place, tests not only measure what a student should know but also provide a good indication of whether or not the student has indeed learned the material covered by the curriculum. (US Department of Education, 2004, p.4).
- ...'test based accountability is an intrinsically inexpensive reform strategy. Nationwide, cost estimates run as low as \$9 per student, on average, for the type of tests currently used and nearly all independent estimates of the costs of testing come to less than \$50 per student out of the roughly \$10 000 per student currently being spent on education.' (West, 2005, p.2).

Value Adding/ Growth Models

- 'The Department of Education's November 18, 2005 announcement of a new growth-model pilot program represents an important step forward; indeed, it is the most important regulatory change since the passage of NCLB. The program will allow up to ten states to implement accountability systems based in part on annual 'growth' in student achievement - that is, the amount individual students are learning from one year to the next, as measured by the state achievement test. The first growth models may be approved for use on the 2005-2006 academic year, well in advance of the law's scheduled reauthorisation in 2007.' (West, 2005, p.6)

Reporting

- Provides information for parents by requiring states and school districts to give parents detailed report cards on schools and districts explaining the school's AYP performance.
- Schools must also inform parents when their child is being taught by a teacher who does not meet 'highly qualified requirements.'
- No Child Left Behind is working: evidence from both the Nation's Report Card and the states' own data prove it." (Mark, 2005, p.1).

Other

- Supports early literacy through the Reading First Initiative.
- Increases flexibility to state and local agencies in the use of federal education money.
- Seeks to narrow class and racial gaps in school performance by creating common expectations for all.
(http://en.wikipedia.org/wiki/No_Child_Left_Behind)
- 'Since April 2003, education has focused on rural education issues by issuing new guidance, establishing a task force on rural issues, and awarding a grant in September 2004 for a rural education research centre.' (GAO, 2004, p.1)
- Since NCLB was passed federal education spending has increased more than 30%. (Mark, 2005, p.1)
- 'Between 1990 and 2003, the proportion of the adult population twenty five years of age and over who had completed high school rose from 78% to an all time high of 85%.
- Between 1990 and 2003, the proportion of the adult population twenty five years of age and over with a bachelor's degree increased from 21% to an all time high of 27%.
- One of the strengths of NCLB is that it puts information in the hands of teachers, parents and the public, energising them for change and improvement.' (Kater, 2004, p.6).

WEAKNESSES – No Child Left Behind

Testing

- Testing is not linked with plans and funding to remedy problems that might be detected by the testing. Instead a system of increasing punishments is provided to take away resources from schools.
- Students with learning disabilities do not receive extra help when taking the standardised tests, and can jeopardise the assigned rating the entire school is given.
- Language learners take between five and ten years to 'catch up' to grade – level proficiency.
- 'One of the dangers of NCLB is that the focus on test scores means that little energy is left for the imagination, creativity, intrinsic motivation, intuition and spontaneity of children. Teachers need to honour children as children. It is a gifted teacher who can guide children to explore the world meaningfully, to question powerfully and to give back to their communities.' (Rubalcava, 2004, p.2)
- 'High–stakes standardised tests like the ones Bush is proposing can only mean big trouble for small schools...small schools are extremely 'volatile' when it comes to measuring the progress statistically through standardised test scores because they can be subject to wild swings in test scores from year to year, grade to grade and school to school.' (Au, 2006, p.2).
- A recent study by the Northwest Evaluation Association found that the high stakes tests weren't really working anyway. This study, which used data from more than 320 000 students in twenty three states, found that the test score gains have slowed greatly and improvements may be attributed to students getting used to taking tests as they grow up in an educational era dominated by NCLB. Additionally, this study found that test score gaps between students of colour and white students were still widening, instead of closing.
- 'In schools buffeted by a high level of student transfers, the tests used to judge the calibre of their curriculum and, under NCLB, decide their fate; are statistically meaningless.' (Robson, 2004, P.4).
- The law does not acknowledge any extenuating outside factors such as poverty, abuse, motivation, or even the ability to speak and read English – all factors that could compromise student performance on standardised tests." (Garan,2005, p.2).
- 'Although the act mandates annual testing for all states by 2005-2006, it does not provide federal standards for testing practices...states have created a broad array of approaches. Some states test reading and maths every year: others test those subjects at three or four year intervals and others test a variety of subjects in a variety of grades. One critical difference in testing practices is whether states use norm referenced or criterion referenced tests. Norm referenced tests assess a student's broad knowledge, measuring performance against a relevant comparison group. Criterion referenced tests measure specific skills in relation to pre established standards of academic performance. Advocates of standards–based reform prefer criterion referenced tests because they can be directly aligned to a given state's standards. However, because they are generally individually designed for each state they are far more expensive to create and produce results that are more difficult to compare....states are not required to administer the same test from year to year.' (Wenning, 2003, p.1 and 2).
- The domination of the testing market by four big companies. \$400 million (Am.) was set aside to help states develop and administer tests and these companies are likely to be the benefactors.

(<http://www.pbs.org/wgbh/pages/frontline/shows/schools/testing/companies/html>).

- The construction of the test questions need to be inclusive of all students. eg: Not all eight year olds have been exposed to the Williams sisters and /or a game of tennis. Therefore due to the content of the test question some children are disadvantaged before even answering the test. (Palast, 2006, p1).

Accountability

- 'Indicators of school performance are not accurate or viable.'
- Due to schools, districts and states being punished if they fail to make adequate progress according to the goals they themselves establish, the incentives are to set expectations lower rather than higher.
- 'Putting schools and districts on a failure list can have a negative effect on parents perceptions of schools and their enrolment decisions, on the morale of the school staff and on the NCLB sanctions to which schools are subject.' (Robson, 2004, p.1).
- 'Tests are helpful, but they shed little light on school performance and academic program impact. A stronger accountability system composed of annual testing keyed to rigorous academic standards and a challenging curriculum taught in the school provides the sort of information needed to determine what works, what doesn't how well students are achieving and what to do to help those who need help.' (US Department of Education, 2004, p. 3).
- '...the ability of states to alter their standards raises the spectre of a nationwide race to the bottom, with states progressively lowering their expectations for students so that fewer states are identified as failing.' (West, 2005, p.4).
- States that were once pioneers in education are now captives in a one size fits all educational accountability system... To say that only one measurement can be used to judge every school's effectiveness is not practical. Schools need to be accountable but a more realistic measurement method needs to be provided to make sure they do.
(<http://www.ncsl.org/programs/press/2005/pr050223.htm>)
- 'NCLB lacks research support because NCLB depends solely on punishment. As schools fail to make arbitrary AYP the law imposes punitive, increasingly harsh sanctions...NCLB punishes the entire school for the failures of the few, often the very few. If a school's special education students fail to make AYP, the whole school fails. If a school's English language learners fail to make AYP the whole school fails.' (Bracey, 2004, p.1).

Value Adding

- 'NCLB is not longitudinal in that it looks at students in certain grades from year to year. Thus, the same group of students are not tested to measure the difference in performance between years and differences between classes from year to year are ignored.'
(http://en.wikipedia.org/wiki/No_Child_Left_Behind)

Reporting

- 'NCLB is designed to set the stage for the eventual privatisation of the US public school system: reports about struggling schools sour public opinion and may cause more and more voters to question the viability of public education'.
(http://en.wikipedia.org/wiki/No_Child_Left_Behind)

- 'It is possible for a school to be put on the list because their black student sub group wasn't proficient in maths one year, take remedial steps to solve the problem only to be penalised again because 94% of the free and reduced lunch students showed up for the test the next year; and then have their limited English proficient students demonstrate limited proficiency on the reading test the following year. Just like that the school is facing third year sanctions and is in danger of being restructured two years down the line.' (Robson, 2004, p.3).
- Reporting the number of students at proficiency or above will not detect the problem of appropriate progress each year if students are to leave their K-12 experience sufficiently prepared for employment or college success. (Sanders, 2003, p.2).
- 'Officials in various states contend that if given greater flexibility, they could do a better job of determining which of their schools are improving student achievement and narrowing gaps between low performing and high performing student subgroups.' (West, 2005, p.2).

Other

- Unwillingness of the federal government to fully fund the act.
- School districts are free to choose one curriculum package from a federally developed list of about six products, and cannot use the funding for any other purpose. Thus the main immediate effect of NCLB is to reinforce large curriculum publishing houses.
- States and school districts should be granted greater freedom to target assistance to schools with the most extensive academic difficulties.
- After school programs are neglected.
- Focus on improving the average student's education may ignore individual differences between students, and potentially harm both special and gifted education programs.
- NCLB focuses on basic educational classes and removes funding from music programs, art programs, etc. This results in schools being forced to remove elective and after school programs.
- While addressing the issue of 'achievement gaps' such as that between affluent and disadvantaged students NCLB fails to address how possible 'effort gaps' between the same groups affect the achievement gap. An effort gap can be attributed to such factors as hours of quality study time per week, diligence in completing homework assignments, attitude, discipline and parental support.
- 'Three states are already in open rebellion about NCLB – Connecticut, Utah and Colorado, which have either planned law suits or passed laws that trump the federal mandates...and a total of twenty one states are now considering some kind of legislation critical of NCLB.
- 'NCLB's failure comes from the business community, which has found that students are graduating as poor communicators, really weak critical thinkers and weak problem solvers.' (Marks, 2005, p.1 and 3).
- 'The American Federation of Teachers hoped that the resources earmarked for NCLB would be provided and that the law would be implemented in a way that would strengthen public education while raising the academic achievement of all students. Unfortunately the flaws in the law are undercutting its original promise. Guidance for states has been unclear, untimely and unhelpful and the US Department's of Education attempts to make the law more flexible have brought about only minimal improvements without addressing NCLB's larger flaws. Underlying all these issues is the pervasive problem of funding.' (<http://www.aft.org/topics/nclb/index.htm>)

- 'Less than four years after the path breaking law's passage, it remains too soon to assess definitely its impact on student achievement.' (West, 2005, p.1).
- At the local level, implementation of the public school choice and supplemental services provisions has been uneven. Although participation in choice and tutoring is growing, only a small percentage of eligible students are participating. Nationwide, over one thousand supplemental service (tutoring) providers have been state approved. While some rural areas have only online providers to offer, some urban and suburban areas have a diverse mix of providers. Public school choice implementation also has not gone well, partly because of inadequate capacity and a pattern of bureaucratic resistance. Rural and urban districts with a majority of underachieving schools have few or no high quality alternatives for students who want to transfer. (Kater, 2004, p.7).

Recommendations for Improvements

- Allow states to experiment with school choice programs. (Uzzell, 2005, p.2).
- Transparency in state accountability plans. (Centre on Education Policy, 2006, p.9).
- 'The current law's mechanism for holding schools accountable, the adequate yearly progress (AYP) formula doesn't really measure progress and fails to distinguish between effective and ineffective schools. Also, the effects of flexibility on AYP need to be monitored.
- The intention of the staff quality provisions of NCLB, is to ensure that all students are taught by teachers who know their subject matter and how to teach, and are supported by well trained para-professionals. These are real problems.
- Intervention is necessary to raise student achievement in struggling schools but there is little evidence to suggest that NCLB's sanctions are effective.
- 'The promise to fund NCLB remains unfulfilled. This shortfall has undercut the efforts of the states, districts and schools at a time when they are working to meet new, rigorous requirements for students and teachers.'<http://www.aft.org/topics/nclb/index.htm>
- 'Elected officials special interest groups, grassroots organisations and the think tank community should commit to an honest discussion of the benefits and costs of No Child Left Behind.' (Kater, 2004, p.9).
- Guidance and support for modified standards and assessments for students with disabilities and English language learners. (Centre on Education Policy, 2006, p.9).
- Sufficient resources and authority to successfully oversee supplemental educational service providers and evaluate their effectiveness in raising student achievement. (Centre on Education Policy, 2006, p.10).
- Attention to other subjects – social studies, science the arts and other subjects besides reading and maths are still a vital part of the balanced curriculum. (Centre on Education Policy, 2006, p.10).
- The implementation of a 'data club' (value adding/ growth model) approach which looks at individual student growth in performance over time, rather than just comparing different school cohorts annually. By analysing student data through the 'data club' (value adding/ growth model) approach schools are better placed to implement meaningful teaching and learning programs for the students in their care.

California

Background

California has twelve percent of the total K -12 public school enrolment in the United States. There are numerous challenges for California with its K -12 education system. These include:

a high number of English language learners, 80% of whom speak Spanish at home, a student–teacher ratio of approximately 20:1 which is above the national average of approximately 16:1, a high percentage of teachers who in 2004 were not deemed as highly qualified. Forty eight percent of classes were taught by teachers considered to be highly qualified, teacher supply – not withstanding the quality of teachers this is at a critical point in California, 2002 - 2003 data from third grade students in maths and reading suggests there is work to be done in all sub groups if California is to reach the 2014 NCLB target of every child being proficient in reading and maths. The gaps were just as large in both subjects at the high school level. (PEN, 2004, p.8 and 13).

California began working on accountability strategies several years before No Child Left Behind became law. This resulted in the modification of the state's main strategy. (PEN, 2004, p.5). The majority of California's Public Schools Accountability Act (PSAA) aligns with the law.

Accountability

In 2003 the California Department of Education submitted its Accountability Workbook for approval to the United States Department of Education. The workbook describes California's method for complying with the new assessment and accountability requirements of NCLB. Its development was based upon a series of action items adopted by the State Board of Education. (CD of Education, 2005, p.37).

California has had academic content standards in four core subjects: reading/ language arts, mathematics, science and history/social sciences, since December 1997. County Offices of Education have been involved in providing professional development and resources on the standards since 1998. (Thomas, 2003, p.1).

The 2005 Standardised Testing and Reporting (STAR) program is outlined below:

- California Standard Tests

The California English – Language Arts – grades 2 – 11 including a Writing assessment at grades 4 and 7.

The California Mathematics Standards Test - grades 2 – 7 and grades 8 - 11 completed course specific tests eg: Algebra, Geometry, Integrated Mathematics.

The California History – Social Science Standards Test – grade 8, grade 10 - World History, grade 11 - US History.

The California Science Standards Test – grade 5 and for grades 9 -11 the following course specific tests - Biology/ Life Sciences, Earth Science, Chemistry, Physics, Integrated/ coordinated Science.

- California Alternate Performance Assessment (CAPA)

The California Alternate Performance Assessment in English, Language Arts and Mathematics was included for grades 2 – 11. This test is based in a subset of state academic standards. The majority of students with disabilities participate in

the general assessment, but those with significant cognitive disabilities may be eligible to participate in the CAPA.

- Norm - referenced Test (NRT)

The California Achievement Test, sixth edition was included for all content areas at grades 3 and 7 only. The content areas for grades 3 – 7 included reading, language, spelling and mathematics.

The California High School Exit Examination (CAHSEE), administered in 2005 was included for grade 10 (and grade 11 if passed). The CAHSEE covers English, Language Arts and Mathematics. (CD of Education, 2005, p.32) (Accountability Workbook, 2005, p.36).

The Academic Performance Index (API) is the cornerstone of California's Public Schools Accountability Act (PSAA) of 1999. The purpose of the API is to measure the academic performance and growth of schools. It is a numeric scale that ranges from a low of 200 to a high of 1000. A school's score on the API is an indicator of a school's performance level, based on the percentage of students scoring at a given performance level or band on state wide testing. API's are also reported for Local Education Agency as an element of California's accountability requirements under No Child Left Behind. Generally, API results are reported twice per year. (CD of Education, 2005, p.32 and p.34).

In 2003 the California Department of Education and the state PSAA committee were assessing how the existing API could be used for Adequate Yearly Progress. It was proposed that schools, in addition to receiving an API score will receive information on the number of students at proficient or above levels for purposes of AYP. (Thomas, p.1, 2003).

The Californian Board of Education has imposed a literal interpretation of proficient on state standards and requires all students in grades 2–8 to meet California's existing level of proficient on the California Standards Tests. At the high school level, all students will be required to meet a performance level on the California High School Exit Exam that is equivalent to proficient on the California Standards Tests. Each school must then make annual progress that places them on a trajectory to have all students in the school meeting those requirements by 2014 or be subject to sanctions.

California has adopted 'annual measurable objectives' (AMO) for schools and districts. These AMO's specify the percentage of students who must score at the proficient level each year in order to avoid being identified as a program improvement school or district. Schools must make extraordinary improvements on the state's California Standards Test (grades 2-8) and California High School Exit Exam for high schools in order to avoid the interventions required under No Child Left Behind. (<http://www.csba.org/nclb/nclb.htm>).

In 2005, California released all elements of the AYP determination - participation rates, AMO's, LEA and school-wide API and graduation results. (Accountability Workbook, 2005,p.14).

California does not currently have a student data system that would allow longitudinal tracking of individual students. The plan is to develop a system to track individual students from grade 9 or 10 through to high school graduation. When fully implemented the system will be used to calculate high school graduation rates. (Accountability Workbook, 2005, p.46).

Accountability report cards have been a feature of California's accountability system since 1988. At the school, LEA and state levels the report card contains the required disaggregated results of student performance. Some of the elements included in California's School Accountability Report Card required modification to be fully compliant with the NCLB requirements. All changes have been implemented. (Accountability Workbook, 2005, p.16).

'Current state law provides award programs, both monetary and non monetary for schools that meet their API targets and intervention programs for those schools that do not. Each of the state award and intervention programs is available to all California schools, regardless of Title I funding, so long as the schools meet eligibility requirements in state law and regulation. California has two state wide intervention programs in place: the Immediate Intervention/ Underperforming Schools Program and the High Priority Schools Grant Program. Schools that are eligible for either of these programs are the lowest performing in the state; participation is voluntary. In either program, schools are subject to state sanctions in the event that they fail to demonstrate significant growth on the API during the school action plan implementation period.' (Accountability Workbook, 2005, p.18).

Californian Perspective: NO CHILD LEFT BEHIND STRENGTHS:

Reporting

- Between 2003–2005, fourth grade reading proficiency increased by eight percentage points and fourth grade mathematics proficiency increased by five percentage points. (California Report Card).

Other

- 'NCLB could help students, parents and communities in California struggling to improve schools for all. (PEN, 2004, p. 5 and 6).

WEAKNESSES:

Testing

- The assessment process used to determine adequate yearly progress under NCLB is failing to assess a broad range of skills that will be important to children in the future. (PEN, 2004, p.11)
- The tests of 400 000 minority children are not being counted. (<http://nochildleft.com/2006/apr06holes.html>)
- At Martin Luther King Jr. Junior High School in Sacramento about 150 of the schools 885 students spend five of their six class periods on maths, reading and gym, leaving only 55 minutes for all the other subjects. About 125 of the school's lowest performing students are barred from taking anything except maths, reading and gym. (New York Times, 2006, p.2).

Reporting

- California has 46 student categories by which to report student data.... by the witching year of 2014, NCLB will label 99% of its schools 'failing.' (Bracey, 2004, p.1 and p.2).

Other

- The teacher supply, notwithstanding the quality of teachers, is at a critical point in California...it will be impossible for the public school system to keep up based on the teacher candidates being graduated. (PEN, 2004, p.13).
- California is a state with a substantial number of schools in restructuring and several state and regional supports for making decisions about restructuring. We found that the state and regional supports for making decisions about restructuring in California do not tell districts and schools what should be done. Instead they offer processes to help districts and schools wrestle with details of their restructuring plans. (<http://www.cep-dc.org/nclb/>)

Chicago

Background

In 2006 Chicago Public Schools, the third largest school district in the United States has 485 elementary schools and 107 high schools, teaching approximately 434 000 children from pre school through to secondary. The student population breakdown is as follows:

49.8% African American
38.0% Latino
8.8% White
3.2% Asian/ Pacific Islander
0.2% Native American

85.2% of students come from low income families and 14.1% are limited English learners. (<http://www.cps.k12.il.us/AtAGlance.html>)

About 58% of students living in Illinois, live in urban areas and attend Title I schools. Chicago has the highest percentage of Title I schools. (http://www.publicduaction.org/2006_NCLB/state/IL_Main.asp)

In 2005 approximately 82 000 of Chicago's students received supplemental services in the school year. About 40 000 chose Chicago's own program while the rest opted for private providers. (Gewertz, 2005, p.2).

Chicago Public Schools began implementing school reforms designed to increase equity and student achievement in the mid 1980's. In 1989 state law required the district to create local school councils to oversee the daily operations of each school and in 1995 the mayor took control of the district, appointing a chief executive officer in place of the former superintendent. District-initiated reforms have frequently preceded similar reforms required by No Child Left Behind.

Accountability

The Illinois accountability system which includes Chicago Public Schools relies on solid standards and tests aligned with them. The state is one of only fourteen whose tests are aligned with their standards in each subject at elementary, middle and high school. Up until the 2004-2005 school year the Chicago Public Schools used the norm referenced Iowa Test of Basic Skills and reported scores on both tests. The test format included both multiple choice and extended responses. Even though the Chicago Public Schools have had a strong district accountability system for many years the district recently updated to better measure school performance. (<http://nclb.cps.K12.il.us/>)

The Iowa Test of Basic Skills which has been in place for three decades was superseded by the following tests:

'Illinois Standards Achievement Test (ISAT) at grades 3, 5 and 8, the Prairie State Achievement Examination (PSAE) at grade 11, the Illinois Alternate Assessment (IAA) at grades 3, 5, 8 and 11, and the Illinois Measure of Annual Growth in English (IMAGE) at grades 3, 5, 8 and 11, and the grade 2 assessment (Terra Nova) in reading and mathematics. The grade 2 assessment is for Title I schools that have grade 2 as the highest grade.' (Illinois Accountability Workbook, 2005, p.4). With a keen emphasis in the district to phase in uniform diagnostic reading assessments, in 2005–06 the first year of this initiative was introduced to all first grade teachers. Staff was trained to use the Dynamic Indicators of Early Literacy Skills (DIBELS). Teachers assessed their students using this tool and planned instruction based on the assessment. (Centre on Education Policy – Chicago Public Schools, 2006, p.6)

The accountability system was designed to meet the Title I requirements and the implications of these provisions for schools with large numbers of low income and minority students. (HGSE, 2004, p.2). The plan was developed through consultation with a broad based task force of education, business, parent and civic representatives. (<http://www.isbe.net/ayp/default.htm>).

Chicago Public Schools calculate Adequate Yearly Progress (AYP) based on three factors:

- The percent of reading and maths scores that meet or exceed standards, compared to the annual state targets.
- The participation rate of students in taking the state tests, which must meet or exceed 95%.
- The attendance rates of students in elementary and middle schools, and the graduation rates of students in high schools, which must meet or exceed the state's annual targets.

'In addition to meeting the three conditions outlined to make AYP as of 2005 Illinois districts which includes Chicago Public Schools will be identified for district improvement when they do not make AYP in all grade spans in the same content area for two consecutive years. Beginning with 2004–2005 test data, district accountability data will be analysed by grade spans – elementary (grades 3 – 5), middle (grades 6 – 8), and high school (grades 9 – 12). Districts will be identified for improvement when they miss AYP in all three grade spans in the same content area for two years. If the district makes AYP in at least one of the grade spans, they will be considered to be ineligible for district improvement advancement in their district status.

Eligibility for district improvement status depends on the grade spans in the schools as well as the number of schools in the district:

- For districts with more than one school and one grade span, beginning with the 2004–2005 test data, district student data will be aggregated up top three grade spans – elementary (grades 3 – 5, middle grades 6 – 8) and high school (grades 9 – 12). When a district does not make AYP in all of the grade spans that the district has, in the same content area for two consecutive years, it will be identified for district improvement status. If the district makes AYP in at least one of the grade spans, it will be ineligible for district improvement status or for the advancement in improvement status.

- For districts with only one school or only one grade span, determination for district improvement status will be based on the same criteria for school improvement status.’ (Illinois Accountability Workbook, 2005, p.6).

In 2005 the Governor of Illinois, Rod Blagojevich signed law improving how progress for students with special needs and disabilities would be measured. The new law addressed the previous measurement system which required students with special needs and disabilities to take a state assessment as outlined in NCLB which resulted in possibly placing schools and districts in improvement status if they failed to make AYP.

The indicators to determine AYP for students with special needs and disabilities shall be placed on their Individualised Education Plans (IEP), and not on state assessment. The individual needs of these students is recognised by creating a level playing field for students with special needs and disabilities to succeed, as well as ensuring that schools receive credit for their successes in helping students with disabilities while still requiring schools to focus on areas that need improvement. The law outlines changes to the Illinois Accountability Workbook, the state plan for NCLB implementation. While the law is effective immediately, until the requested changes receive United States Department of Education approval, Illinois schools and districts must continue with Illinois current implementation of NCLB. (IGNN, 2006, p.1 and 2).

The Illinois annual report cards reflect annual assessment scores and AYP decisions.

Renaissance 2010 (or Ren 10) is a Chicago district policy for re inventing public education schools. ‘The fundamental goal of Renaissance 2010 is to turn around Chicago’s most troubled elementary and high schools by creating one hundred new school neighbourhoods across the city by 2010, providing new educational options to undeserved communities and relieving school overcrowding in communities experiencing rapid growth.’ (Mayor Richard Daley, 2004, p.1).

‘There are three different types of Renaissance schools, charter school, a contract school and a performance school.

- **Charter schools** are free from most Illinois state school laws, in addition to Chicago Public School district initiatives and the Chicago Board of education policies. However, policies related to testing, health, safety and special education would be retained. Such charter schools are operated by independent non–profit boards, and hire their own teachers, administrators and staff. Hence, no one hired to work on a professional level at a charter school is an employee of the Chicago Public Schools.
- **Contract Schools** are essentially the same as charter schools, with the exception that state school laws still apply. Contracts to create such schools are held by non-profit boards or companies, hence its classification title. Teachers and staff are employees of the school’s respective board or company, not of Chicago Public Schools.
- **Performance Schools** are essentially the same as contract schools, with the prime exception that teachers and all other staff are employees of Chicago Public Schools.

Of the schools identified at this stage under the Renaissance 2010 category, it is not clear if they are considered charter, contract or performance schools; however, they are ‘magnet schools’. Magnet schools have highly selective enrolment policies for students, requiring them to take exams and participate in an international Baccalaureate program before being admitted. Living near a ‘magnet school’ does not guarantee admission.

http://en.wikipedia.org/wiki/Renaissance_2010).

'During the year of closure, committees which may include district staff, community members and outside entities like charter schools, meet or redesign the school. Meanwhile, students are relocated to other schools, and school staff members reapply for jobs. When the schools reopen a year later, they may have one or more of the following: new teachers, new administrators, new curriculum or new intervention programs. Some may become charter schools, some may operate under contracts and some may remain district operated schools. Of the three schools that closed in 2005–2006, two were in corrective action and one was in restructuring.' (Centre on Education Policy – Chicago Public Schools, 2006, p.5).

Walk Throughs

Beginning in the 2002–2003 school year, the six existing Chicago Public Schools regional offices were reorganised into instructional areas with the primary mission of supporting schools in improving instruction and building accountability for staff and the school leadership teams. Chicago's instructional initiative was inspired by similar ones that made a difference in San Diego, Boston and New York's District 2, a pioneer in using walk throughs to improve teaching. Each area is lead by an Area Instructional Officer (AIO) who is in charge of two teams – an instructional support team and a management support team. The instructional support team comprises of a group of highly qualified instructional leaders with content expertise in reading, mathematics and technology. The instructional support team is responsible for providing the following:

- Assistance in implementing initiatives within the reading and mathematics framework.
- Assistance in implementing the goals and strategies outlined in the education plan.
- Instructional coaching and mentoring.
- Support for building professional learning communities at the school level.
- Organising study groups for common problems and providing common professional development activities.
- Analysing student data and monitoring of school improvement plans.
- Planning and monitoring of the implementation of district level initiatives.

The emphasis is on:

- The use of formative and summative data for continuous monitoring of instruction.
- A system of reciprocal accountability that emphasises the mutual dependence of the school and leadership team.

AIO's conduct regular instructional walk throughs and meet regularly with leadership teams to evaluate progress on goals. The aim of the walk through is to break down the barriers that isolate teachers and principals from peers and each other, and make use of the best teaching strategies system wide. The instructional teams are intended to increase both support and accountability for instructional improvement. The AIO in each area is also responsible for monitoring and evaluating principals and submitting ongoing reports on schools. The AIO's report to the Chicago Public Schools' Chief Education Officer.

The walk through is a qualitative look at the school. The principal selects several teachers from the school to participate in the walk through. The walk through team consists of the AIO, the AIO team, principal and several selected teachers. Prior to the classroom visits, the team meets to decide the participating classes and the focus

of the walk through. After each classroom visit the team spends approximately five minutes discussing what they have observed. The size of the team and time frame for the walk through is dependent upon the size of the school. At the conclusion of the walk through the team meets to discuss and write the report which includes findings and suggestions for the school.

The Executive Instructional Leadership Institute provides AIO's with training on instructional leadership and implementing the Chicago Reading Initiative. AIO's receive thirty five hours of professional development initially and ten days of intensive follow up training during the school year.

Apart from leading the school walk throughs, AIO's are also responsible for running monthly professional development workshops, supervising specialists who provide direct support to schools and evaluating principals. AIO's coach principal's, can pair them with colleagues who serve as mentors and in some cases remove poorly performing principal's from schools.

(Duffrin, 2003, p. 1 – p.3) (Temkin, 2003, p.1- p.6) (<http://edplan.k12.il.us/goal1.html>) (<http://www.utdallas.edu/research/fyio50909/university/html>)

Chicago Public School Perspective: NO CHILD LEFT BEHIND STRENGTHS:

Testing

- According to the *Chicago Tribune*, students in every grade level posted increased scores on state wide reading and maths tests in the 2003–2004 school year. A large part of these gains were fuelled by increased test scores among Hispanic students. On the maths test, Hispanic fifth grade students scores jumped by 11.7 percentage points. Similarly Hispanic fourth graders improved by 10.7 percentage points on the reading test. (Boehner, 2005, p.1).
- 'Chicago public school children who transferred from schools in need of improvement to higher performing schools under NCLB showed substantial improvement in reading and maths scores.' (Chicago Sun -Times, 25th April, 2004).

Reporting

- The Chicago school district has steadily increased passing rates by two percentage points each year since 2002, as shown on the state's interactive report card. Scores in reading have risen in the past few years on most tests. On the reading tests used to calculate AYP scores rose 47.5% passing in 2004-2005 from 43% passing the year before, the first year scores were reported for districts. In addition, all sub groups increased their scores. (Chicago Public Schools, 2006, p. 2).
-
- Of Chicago's 350 underperforming schools, 75% made gains and 100 schools made significant gains compared to the previous year of 2004. (Brown, 2005, p.9).
- 'Chicago Public Schools new plan, Renaissance 2010 will reconstitute low performing schools and give parents choices.' (PEN, 2004, p.15).

Other

- ...'we have overhauled our teacher recruitment, hiring, professional development and support system. We have notified teachers who have not met certification standards that they have a limited amount of time to meet

those standards and we are providing them with the help they need to meet those requirements.’ (<http://nclb.cps.k12.il.us/>)

- In 2004, although thousands of students in the Chicago district were eligible to transfer schools just 1.9% of these students requested transfers. (HGSE, 2004, p.3).
- In 2004, Illinois schools needing improvement enrolled over twice as many minority and low income students on average than schools meeting AYP. (HGSE, 2004, p.3).
- In 2005-2006, 89% of classes were taught by teachers who are highly qualified. With 25 501 teachers, Chicago is the largest employer of teachers in the state. (Centre on Education Policy - Chicago Public Schools, 2006, p.8).
- All schools on probation have ‘lead literacy teachers’ who attend monthly professional development on literacy. These lead literacy teachers model lessons in classrooms and pass on PD to the staff. The reading initiative is the cornerstone of the district’s efforts to improve schools. The reading strategies and model lessons used in these probation schools were developed over the past three years. In 2004–2005 the district also introduced the ‘high quality literacy instruction framework’, a document that describes best practices in reading instruction and is intended to guide all schools. (Centre on Education Policy - Chicago Public Schools, 2006, p.3).
- In mathematics the district is developing professional development and guidelines for teachers. A draft of the maths benchmarks for K-8 was available to all schools in October 2004. In conjunction with district strategies, schools are focusing on grouping students with like abilities and moving them quickly to higher level skills. (Centre on Education Policy- Chicago, Public Schools, 2006, p.4).
- In 2005 Chicago Public Schools received \$250 million from the federal government to pay for additional gifted programs, more learning over the internet and free tutoring for five times as many students in 2004. (Shaw, 2004, p.1).
- A Chicago audience of parents overwhelmingly wanted to keep NCLB, but improve it because the best thing NCLB has done is to shed light on the fact that there are many good schools that have laboured under the misconception that they’re the greatest place to be, when they actually are not serving large sectors of their population. It has made us shift our focus from just national education of the majority to all of the minority groups and put a spotlight on how they are performing as well and how the education system is not performing for them... NCLB is a first attempt at changing particularly the education of low income Americans. NCLB even with its flaws is a good starting point for us to move toward more diverse accountability standards. (PEN, 2004, p.8).
- ‘After a year in the field, AIO’s are generally getting positive reviews from principals. Most of them report that their AIO’s have inspired schools to cross pollinate ideas and focus more sharply on instruction. Before it was not a team effort; each teacher had their own ideas.’ (Duffrin, 2003, p.2).

WEAKNESSES:

Testing

- ‘There is a general dissatisfaction with test based accountability in Chicago schools. Standardised tests are all about sorting children out and not about finding out what helps them. High stakes testing is already increasing the drop out rate and it forces low performing schools to push out struggling students.’ (PEN, 2006, p.2 and 3).

- NCLB's test based accountability policies fail to reward schools for making progress and unfairly punish schools serving large numbers of low income and minority students, such as Chicago. (HGSE, 2004, p.4).

Reporting

- In 2003 hundreds of schools were incorrectly labelled as failing because of a reporting tangle that took the Illinois State Board of Education more than six months to unravel. (Aduroja, 2004, p.1).
- There was a general drop in percentages of students passing the state math tests used to calculate AYP, from 43% in 2003–2004 to 41.7% in 2004–2005. All sub groups except white and Native American saw a similar drop in the percentage of students passing state tests. (Chicago Public Schools, 2006, p.2).
- In Chicago more than two-thirds of schools are identified for improvement, as is the district as a whole. (Centre on Education and Policy – Chicago Public Schools, 2006, p.1).
- In the 2005–2006 school year nearly a third of Chicago's public schools under went restructuring because they've consistently failed under NCLB. The plan for 185 of the district's 600 plus schools includes curriculum changes, fewer grades per school, staff overhauls and the closure of a small number of schools. Chicago's plan includes a host of reforms tailored to each school rather than the more radical option of widespread closure. eg: A school that ended up on the list because it failed to make AYP in the English language learners sub group will try to improve those scores by working with the local university. (The Associated Press, 2006, p.1).
- Underlying the NCLB reform agenda is the belief that if parents and communities have reliable data about school performance, they will make demands and take actions that will lead to improvements in their children's education. In Chicago however information about school performance is neither reliable nor accessible. (PEN, 2006, p.2).

Other

- 'Renaissance 2010 is a machine designed to dismantle public education. Charter schools have a history of low performance on standardised test scores, dismissing them as an alternative to good public education in Chicago. Teachers at charter schools are not subject to the same scrutiny under No Child Left Behind as Chicago public teachers, further supporting that education at the schools in question are a poor substitute.' (Marilyn Stewart, President –Chicago's Teacher's Union, 2006, p.1)
- Students drop out of high school due to a boring curriculum, lack of personalization, a lack of true rigour in the core subjects and ill prepared teachers. (Chicago Tribune, 2006,p.1).
- In 2004, Chicago had 200 000 students eligible for transfer but only 500 spaces for them. (Bracey, 2004, p.2).
- The federal program is supposed to let parents transfer their children from failing schools to good ones. In Chicago this is impossible because 493 of the school's or 82% are failing, making 270 000 students eligible to transfer to better schools. Most of the good schools are already filled to capacity with kids who take advantage of the Board of Education local transfer policy including 45 000 children from the failing schools. (Shaw, 2004, p.2).
- About 10% of Chicago's Public School funding comes from federal money. That amount increased by 17% or \$40million since NCLB was passed. Even though this is a significant increase, it is not enough. NCLB is an unfunded mandate.

(http://mesh.medill.northwestern.edu/mnschicago/archives/2005/07/leaving_no_chil.ht...)

- The Illinois Education Association is one of ten National Education Association chapters and nine school districts nationwide to file first national law suits against the US Department of Education, charging the government with creating an unconstitutional, unfunded mandate. According to the law suit, Illinois was short changed by \$380 million in 2005 and will receive \$556 million less than it needs to meet the No Child Left Behind requirements in 2006.

(http://mesh.medill.northwestern.edu/mnschicago/archives/2005/07/leaving_no_chil.ht...)

- ...'the Chicago community still believes in the goals of NCLB but it is terribly disillusioned by the failure of NCLB to make a difference.' (PEN, 2006, p.2).
- 'Some principal's say AIO's demoralised their staff during walk throughs or never visited the school at all. Others question whether AIO's efforts will create systemic change or superficial compliance.' (Duffrin, 2003, p.2).

New York

Background

The New York City Department of Education, a department of the City of New York in the State of New York, United States had a name change from the New York City Board of Education in 2003 after a reorganisation of the district. The Department of Education runs almost all of the city's public schools and therefore is a school district. The department is run by the New York City School Chancellor.

The New York City Department of Education is the largest school district in the United States, with over 1.1 million students taught throughout over 1400 separate schools.

Each house or residential area in New York City is zoned to an elementary school and a middle school. All high school students must complete applications to the high schools of their choice. Due to the immense size, the New York City public school system is the most influential in the United States. New experiments in education, text book revisions and new teaching methods must work in New York to be viable to the rest of the country.

(http://en.wikipedia.org/wiki/New_York_City_Department_of_Education).

The ratio of students to teachers in New York is among the highest in the country, especially in the cities. (PEN, 2004, p.11).

In New York City, the school system is organised into ten regions across the city, each of which includes approximately 120 schools. Each region contains two, three or four Community School Districts, as well as the high schools located within their geographic boundaries.

Each region has a Learning Support Centre which houses the instructional leadership team for the region as well as a full service Parent Support Office. Six of the Learning Support Centres also house Regional Operational Centres which provide operational supports to schools.

The Regions are led by ten Regional Superintendents who together, function as the senior instructional management team for the school system and report directly to the Deputy Chancellor for Teaching and Learning. Within each Region, the Regional Superintendent supervises ten to twelve Local Instructional Superintendents (LIS's) each of whom has supervisory responsibility for a network of about ten to twelve schools and principals. The LIS's provide schools in their networks with instructional

leadership and support principals and teachers in implementing the instructional approach and improving their quality of teaching and learning in their schools. Principals within each network report directly to the LIS's assigned to lead the network. Under the structure, each school receives individualised support and supervision.

In addition, thirty two LIS's are designated as Community School District Superintendents while continuing to serve as LIS's. These thirty two LIS's each oversee a community school district office and fulfil the reorganisation's commitment to linking the management structure with Community School Boards and the parent-focused Community District Education Councils that are replacing them. (<http://www.nycenet.edu/Administration/Organisation+of+the+DOE/default.htm>).

The Children First Reform agenda grew out of a city wide series of community engagement meetings. The input from these forums coupled with an analysis of what was working well in various districts in New York City and other urban areas throughout the country, resulted in the development of Children First.

The Children First Reform agenda was launched in New York City in January 2003. The goal of the program was to create a system of 1200 outstanding schools in which every child and teacher had access to effective teaching and learning by giving schools, teachers and principals the necessary resources and support to improve instruction to ensure that students have the opportunity to fulfil their highest potential.

There are four core elements of the Children First reforms:

- Adoption of a single, coherent system - wide approach for instruction in reading, writing and maths that is supported by strong professional development
- Establishment of a new parent support system to make schools more welcoming to students' families and to give families the access and tools they need to be full partners in the education of their children
- Development of principals as the key instructional leaders of their schools through unprecedented leadership development programs at the Leadership Academy. Principals have: increased control over school budgets, able to select new Assistant Principals, reduced administrative burden, improved access to data, receive on going management and support in instruction and teacher development from LIS's who will each manage a network of ten to twelve schools, support from the Regional Operations Centre that will manage personnel, food, transportation and custodial issues, equipped with the skills to optimise the use of technology and be supported by parent coordinators hired at each school to provide a resource to help facilitate parent and community engagement.
- Reorganisation of the Department of Education's management structure into a unified, streamlined system dedicated to instruction and designed to drive resources from bureaucratic offices into the classroom.
(<http://www.nycenet.edu/Administrator/Childrenfirst/CFagenda.htm>)
(http://www.nycleadershipacademy.org/03_00_beAPrincipal.html)
(<http://www.nycenet.edu/Administration/Childrenfirst/default.htm>)

Accountability

According to *Education Week's – Quality Counts* report, New York was one of eight states earning an 'A' for progress on setting standards and accountability. It was the only state to have clear, specific standards in English, maths science and social studies/history at elementary, middle and high school levels. (PEN, 2004, p.7). This testing occurred in the fourth and eighth grades before NCLB came about and was

the start of raising standards and expectations. Testing in Languages Other Than English was also included for grade 8 students. Students who decide not to study a foreign language may make up the Regents credits by taking an appropriate number of business education, art, music and technology classes. New York City pioneered smaller secondary schools.

Under NCLB in New York State elementary and middle school students take state achievement tests yearly in English/ Language Arts (ELA) and maths in grades 3–8. In high school students take the Regents examination and are also tested in what they know in ELA and maths. As a result of the testing program already in place, New York State is on track to meet the science testing requirements under NCLB which by the beginning of the 2007–2008 school year, states must measure proficiency of all students in science at least one time during: grades 3 through 5, grades 6 through 9 and grades 10 through 12.

In the 2005–2006 school year New York State administered state wide ELA tests in January and state wide maths tests in March. Each of the ELA and maths test was made up of two or three sessions depending upon the grade level. The ELA test assesses standards for reading, listening and writing. The mathematics test assesses the newly adopted Mathematics Learning Standards. Both tests have multiple choice and extended response questions. State wide score reports for ELA will be issued to all schools state wide in August 2006 and for maths in September 2006. New York State provides Alternate Assessment for special education students whose IEP's recommend this type of assessment. The New York State Education Department has a detailed accountability system, Adequate Yearly Progress, to measure and track student and school performance. NCLB also requires the New York State Education Department to annually review the participation rate of each school that receives funds under Title I. At least 95% of all students and 95% of students in each sub group must participate in Alternate Assessment testing.

(http://www.nycboe.net/daa/schedule/2005-06_calendar.html)

(http://www.nysut.org/research/bulletins/2002nclb_accountability.html)

(<http://www.emsc.nysed.gov/deputy/nclb/parents/facts/eng/eng-overview.html>)

(http://en.wikipedia.org/wiki/New_York_State_Department_of_Education)

(<http://www.schenectady.k12.us/Superintendent/September2003.htm>).

The New York State report card shows how well all students are doing; achievement gaps among different groups of students based on economic background, English language learners, ethnic groups and disabilities; schools in need of improvement; high school graduation rates and teacher qualifications.

The state produces a report card for every district and every public school, using this same format. The State has produced school and district report cards in a similar format since 1996. Report cards are available on the Department of Education website, which also lists the schools in the State in school improvement or corrective action status, as well, this information is sent to local newspapers for publication. School districts are required to disseminate report cards to parents and local district education councils that are required to review results at a public meeting. (Accountability Peer Review: New York State, 2004, p.10).

According to the 2004 report of *Quality Counts* it was not until 2004 that New York began to require prospective teachers to pass subject-matter tests to receive their initial certificates. Previously only teachers seeking permanent licenses needed to do so. New York is one of only two states to require all middle and high school teachers to have majors in the subjects they plan to teach. The state also requires teacher candidates to complete at least 100 hours of field experience before taking on at least forty days of student teaching. The state no longer issues temporary teaching certificates. According to newspaper reports teachers in urban areas such as New York City had lower passing scores than teachers in wealthier areas. In

2005 a limited number of modified licenses in areas of teacher shortage were allowed. Teacher training institutions must have an 80% passing rate by their students on teacher licensing exams if they want to avoid corrective action.

New York Perspective: NO CHILD LEFT BEHIND STRENGTHS:

Testing

- 'Between 2002 and 2004 4th grade mathematics achievement increased by 11% points. The African American – White achievement gap in 4th grade reading narrowed by 3% points. The Hispanic – White achievement gap in 4th grade mathematics narrowed by 10% points.
- Citywide, the gains on this year's standardised reading and maths tests were so outsized, particularly among 5th graders who improved 19.5% points in reading and 15.2% points in maths, they led some education experts to be sceptical. Schools interviewed with the largest increases in test scores said they had worked hard and this was the result. Changes at schools in the past three years had been tumultuous but the efforts had begun to pay off. Principals and teachers described a relentless focus on literacy and maths and a ceaseless scrutinising of tests, quizzes and writing samples to understand which skills the students had mastered and which lessons had somehow fallen short.' (New York Times, 13/06/05).
- Four elementary schools in Rochester were named in the state's list of schools that showed the most academic improvement during 2004–2005 testing. One school with the highest poverty rate, 96%, has seen continuous improvement on the ELA test for six straight years. This year 81% of the 4th graders passed, up 10% points from the year before and up 62% points since 1999. (Rochester Democrat & Chronicle, 06/01/05).

WEAKNESSES:

Testing

- The United Parents Association of New York City believe NCLB gives too much weight to testing and does not take into consideration that not all children learn at the same pace or that some children may need a different technique to get from point A to point B. (PEN, 2004, p.11).

Reporting

- 'The New York State School Boards Association suggests flawed measurement systems within NCLB continue to erroneously identify some successful schools and local education agencies as needing improvement. The 95% participation rate in testing required by NCLB intended to prevent a school from 'gaming the system' by artificially inflating aggregate test scores, doesn't prevent the gaming. The arbitrary cut point exceeds the 92% average daily attendance rate of many New York schools and we have seen no evidence that relevant attendance data was used to establish a valid attendance threshold.' (PEN, 2004, p.12).

Other

- In cities, the school choice option is a farce. 'In New York in 2003 –2004, 8000 students chose to transfer. After taking flak from principals whose

schools received these students, the city deliberately flouted the law, permitting only 1000 transfers.' (Bracey, 2004, p.2).

- While New York is on target regarding compliance with NCLB's administrative requirements, there are disturbing inconsistencies between paper compliance and realities. (PEN, 2004, p.5).

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