

Summary of Rep. Castle's Improving NCLB Bill

Summary of Rep. Castle's Improving No Child Left Behind for All Students Act

Overview

On January 8, 2002, the No Child Left Behind (NCLB) Act of 2001, legislation to extend and revise the Elementary and Secondary Education Act (ESEA), was signed into law. This legislation extensively amended and reauthorized most federal elementary and secondary education programs. This Congress, ESEA programs are up for reauthorization.

Over the last six years, there has been clear proof that NCLB has been successful. In addition to its success, one of the strongest aspects of the law is the fact that it has enabled us to have a solid national dialog about our nation's students. Since its passage, we in Congress have heard from our constituents and education stakeholders around the country on ways in which NCLB can be made even stronger.

Some of the issues within NCLB that I and my colleagues received comments and suggestions on included allowing for the use of growth models, preventing dropouts and improving graduation rates, increasing school safety, improving measures of progress, attracting and retaining teachers in hard-to-staff areas, and revisiting the provisions regarding the testing of those with limited English proficiency and those with disabilities.

The Improving No Child Left Behind for All Students Act incorporates these important suggestions into a comprehensive reform bill to ensure our nation continues to work towards closing the achievement gap that currently exists between disadvantaged youth and their more affluent peers. A detailed summary is included below.

Title I - Improving the Academic Achievement of the Disadvantaged

Subtitle A

College and Work-Ready Standards - This bill establishes college and work ready standards and assessments by incentivizing states that have not already done so to review their standards in light of national and international benchmarks and collaborate with the business and higher education community in the state to develop standards aligned to the skills and knowledge necessary for success in college and the workforce.

Growth Models - This legislation allows states to integrate the measurement of student academic growth into the state's definition of adequate yearly progress (AYP). Rather than mandating the use of a specific type of growth model, this bill allows for flexibility and innovation as new models are developed. These provisions are aligned with the Secretary's expansion of the growth model pilot program to all 50 states announced in the fall.

English Language Learners (ELLs)

This bill allows states to exclude the assessment results of recently arrived ELLs those who have been in the country for less than one year - when determining AYP for three years after exiting the program; requires states to identify accommodations used in assessing ELLs and students and for state plans to demonstrate how the state will prepare teachers to use accommodations appropriately; and allows states and school districts the flexibility to test ELL students using alternate, valid and reliable assessments, such as native language assessments for up to three years, with the option of providing a waiver to the State Educational Agency for an additional three years on a case-by-case basis.

This legislation allows states to use the English language proficiency test for the

purpose of determining AYP in reading/ language arts for students with the lowest levels of English proficiency for up to three years from enactment to ensure that ELLs remain in the accountability system while giving states the time they need to develop appropriate assessments and accommodations.

Students with Disabilities - This bill maintains provisions of current law consistent with the Individuals with Disabilities Education Act (IDEA) but also:

Provides funding to states to develop appropriate assessments for students with disabilities - giving states 2 years to come into compliance with this requirement included in NCLB or face a loss of up to 25% of state administrative funds.

Allows special education students to remain in the special education subgroup for accountability purposes for three years after exiting those programs.

Maintains the policy that allows the proficient scores of 10% of students with disabilities (1% percent of all students) with the most severe cognitive disabilities who take alternate assessments based on alternate standards to count as proficient when determining AYP.

For three years, continues the regulation that allows the proficient scores of 20% of students with disabilities (2% of all students) who take modified assessments based on modified achievement standards to count as proficient when determining AYP.

Allows districts with high numbers of students with disabilities to get a waiver to waive the 2% percent cap up to 3% without such students counting against the state's overall cap.

Ensures more students with disabilities have access to state assessments by requiring that state assessments minimize the effect of construct irrelevant barriers factors such as bias and disability and maximize the number of allowable accommodations.

Peer Review - The bill creates a more transparent and continuous peer review process consisting of experts and allows states to amend their accountability plans before the Secretary can decline to approve any plan.

State Report Cards -The proposed bill maintains that each state assembles and makes available to the public, a report card including information on student academic achievement and state assessments. Additionally, under this bill, states must include on their report cards, an explanation of the state's accountability system and information on the proportion of teachers in core academic subjects who are highly qualified..

School District Report Cards -The proposed bill maintains that school districts must prepare annual reports for parents and the public on the academic achievement of the school district and for each individual school that the student attends. Additionally, the school district must include the same information in their local report card as the state report card, and in the case of an individual school, whether it has been identified for school improvement and how its students performed on the state assessment in comparison to the rest of the school district and state as a whole.

Comparing State Standards - This bill directs the National Academy of Sciences (NAS) to study how best to compare standards across states and directs the Secretary to develop a common scale using the results of the NAS study.

Local Educational Agency Plans - This bill requires school districts to develop plans to carry out the law and help low-achieving children meet challenging academic

achievement standards. Additionally, under this bill, each local educational agency would be required to identify and assist students at risk of dropping out, ensure accessible curricula for ELLs and special education students, and provide access to current instructional materials aligned with state standards.

School Improvement and Assistance - This legislation creates two separate and distinct school improvement and assistance systems and two distinct redesign systems- one for priority schools and another for high priority schools. These provisions are aligned with the Secretary's differentiated consequences pilot program to allow states more flexibility for categorizing schools in need of improvement and determining the interventions needed for each category.

Longitudinal Data Systems - Since longitudinal data systems are necessary to implement growth models, this bill requires each state to develop and implement a longitudinal data system within 4 years of the passage of this bill. Data collected by these systems include student academic achievement results, graduation rates, and other data elements related to academic achievement.

Graduation Rates - This bill improves upon the current grad rate definition by creating a national graduation rate to produce more reliable numbers, and uses the Average Freshman Graduation Rate (AFGR) until all states are capable of putting the reliable and accurate graduation rate in place. This provision stems from H.R. 2862, the "Reliable and

Accurate Graduation Rate Act," legislation introduced by Rep. Castle last year to establish a uniform and reliable graduation rate.

Reading First - This bill makes improvements to the Reading First Program, using language from the "Reading First Improvement Act" (H.R. 1939), which Reps. Castle and McKeon co-authored.

Migrant Education - This bill modifies an already existing formula to authorize a program for children of migrant workers to assist them in overcoming academic problems associated with multiple relocations.

National Assessment of Title I - This legislation authorizes the Secretary of Education to conduct an evaluation of Title I programs and activities and report the findings to Congress.

Advanced Placement - This bill authorizes the Advanced Placement program, which supports efforts by states and local school districts to increase access to advanced placement tests, improve Advanced Placement programs, increase student academic achievement, increase the number of individuals who achieve a baccalaureate or advanced degree, and decrease the amount of time such individuals require to attain such degrees. This section was rewritten to be consistent with the AP-IB language included in the America COMPETES Act, which Congress passed last year. It also maintains current law's requirement that some funds be spent to help students pay for exam fees.

Adaptive Assessments - The legislation includes language to allow states to use adaptive testing for their statewide assessment to measure reading, math, and science. This provision would not alter state standards or the requirement that states test students to determine their level of proficiency at grade level. This language is similar to H.R. 3979, legislation introduced by Reps. Petri and Wu to increase assessment accuracy and better measure student achievement.

Subtitle B

Striving Readers -This legislation includes a new Striving Readers program, which will provide peer-reviewed grants for literacy initiatives benefiting students in grades 4

through 12

Title II - Recruiting Teachers for Underserved Urban and Rural United States Communities

Teach for America - This legislation includes language originally contained in H.R. 1971, The Teach for America Act, introduced by Rep. Van Hollen and Rep. Castle, and cosponsored by 104 other representatives to create a new Teach for America program, which raises the number of highly accomplished recent college graduates who want to serve as new teachers in underserved urban and rural communities.

Troops to Teachers - This bill includes language from Rep. Petri's bill, H.R. 711, the Troops to Teachers Improvement Act, which provides armed forces veterans with teacher certification stipends in exchange for three years of service in a high-need local educational agency or public charter school

Civic Education - This bill includes amendments to the Civic Education program to include parental choice and innovative programs.

Title III - Homeless Education

McKinney-Vento - This legislation includes a number of changes to the McKinney-Vento Homeless Education Act to ensure homeless children and youth have equal access to an education.