

In addition to the five recommendations outlined on page vii, ECS has developed a number of actions for consideration by federal officials and state policymakers as they move forward in implementing NCLB.

Like the recommendations, the following list was developed through a process that included extensive analysis of state policy activity, comprehensive review of state government reports and academic literature, and conversations with and comments from our constituents.

ECS believes the items on this list represent a general consensus concerning NCLB. Individual constituents may hold different positions or favor other courses of action. ECS not only recognizes these differences, but also welcomes and encourages further discussion and debate among its constituents.

State/Federal Relations

Federal officials should:

- Not allow the nation to retreat on the promises or possibilities of NCLB. Recognize the unique political and cultural contexts of states, and accord them the necessary flexibility to accomplish their goals. Keep pressure on states, but give them credit for moving forward on NCLB.
- Ensure the research and development opportunities NCLB affords are not overshadowed by the law's management challenges. Provide incentives that encourage states to serve as laboratories of research and development, thereby broadening the scope and deepening the impact of NCLB.
- Use the ECS NCLB database management tool to facilitate implementation and promote the cross-fertilization of ideas and practices. Build on the NCLB database to develop a simulation model capable of generating "loose" correlations between particular policies and increases in student achievement.
- Push for greater transparency in and comparability among data sets to better inform public debate, and challenge what appear to be limited or questionable public policy pronouncements.

Assessment

Federal officials should:

- Allow for greater variation in testing options; for example, computer-based adaptive and value-added assessments, exams that reflect the varying capabilities of students with disabilities, and other emerging assessments. Require each testing option to be documented as valid, reliable and aligned with state standards.

State policymakers should:

- Ensure state policies support the use of longitudinal data to report on the performance of cohorts of students to more accurately gauge achievement gains attributable to schools.
- Ensure state policies support the development and use of unique student identifiers to (1) allow achievement to be monitored more accurately over time. and (2) provide more accurate data in areas such as graduation rates and transitions between different levels of the education system.

Inclusion of English Language Learners and Students with Disabilities

Federal officials should:

- Make modifications that allow different cultural biases to be accommodated or provide more time for students to undergo acculturation. This is particularly important for students who are recent immigrants and do not or cannot relate in conceptual terms to subject matter that reflects mainstream American culture.
- Reconcile differences between NCLB and the Individuals with Disabilities Education Act.
- Revise guidelines to recognize that students with special needs may achieve at different rates and levels.

State policymakers should:

- Develop policies that focus attention on helping English language learners not only acquire subject knowledge, but also become more proficient in English.
- Promote early screening, in reading, of English language learners and students with disabilities to identify those who need intensive intervention prior to 3rd grade, and ensure such assistance is provided.
- Develop oversight mechanisms to ensure expectations for students with disabilities are aligned with IEPs (individual education plans), yet allow students access to the general curriculum.

Adequate Yearly Progress

Federal officials should:

- Maintain commitment to the goal of 100% proficiency by 2013-14. Ensure state NCLB plans continue to support this goal, even if an increasing number of schools are identified as in need of improvement.
- Initiate an independent reassessment of AYP to determine what constitutes meaningful growth, and to ensure the current formula is a statistically viable means of determining adequate yearly progress.
- Allow exceptions for states with large rural areas, where district populations do not exceed 100 students, to reconfigure the 1% rule under AYP so at least two students doing well on an alternative assessment could be counted as proficient. Otherwise, districts with only one or no student classified as proficient would not qualify for the flexibility in NCLB.

State policymakers should:

- Maintain commitment to the goal of 100% proficiency by 2013-14.
- Review and/or develop policies that target resources to high-quality early childhood education programs so all students enter kindergarten ready to learn and succeed. Waiting until 3rd grade to identify and intervene with low-performing students may make NCLB goals unattainable.
- Develop policies for information systems that promote the use of longitudinal data and unique student identifiers to ensure accurate data reporting within and across states for all students, regardless of whether they are a member of a particular subgroup.
- Consider policies that support a strategic planning process to improve the continuity and transfer of academic achievement status for each student. Such a process would allow more efficient and effective exchange of information across each student's education career, especially for those who participate in choice programs or are mobile for other reasons.

School Improvement/Supplemental Services/Safe Schools

Federal officials should:

- Ensure all eligible students have access to supplemental services, appropriate interventions and safe schools. This may require federal officials to make a greater investment in technical assistance programs to turn around low-performing schools. Children simply cannot wait seven years for the most serious NCLB measures to take effect.
- Hold states accountable for reviewing their “persistently dangerous” school definitions to eliminate the possibility that no school, in effect, could be labeled as such.
- Ensure interventions to improve low-performing schools – such as conversion to charter status or the use of management companies – are based on scientifically based research.

State policymakers should:

- Develop and fund policies that support effective and sustainable technical assistance responses (for example, prioritize level of intervention based on level of need and compress timelines whenever possible) and consider innovative programs (for example, a community-based model of intervention that addresses the larger cultural context of schools).
- Develop state policies that set rigorous standards for supplemental service providers.
- Support and fund incentives for districts to accept students from low-performing schools; for example, allow schools that accept significant numbers of low-achieving students to be “held harmless” over a reasonable time period for the progress of those students. Federal officials might need to make allowances for such incentives.
- Assume responsibility for improving all low-performing schools, not just those receiving Title I funds.
- Ensure districts are providing timely and straightforward notice to parents regarding supplemental services and options to attend other district schools.
- Review policies that define what constitutes a “persistently dangerous” school to ensure they meaningfully reflect what constitutes an unsafe environment.

Highly Qualified Teachers

Federal officials should:

- Provide clear, consistent and timely guidance regarding compliance with the highly qualified teachers provisions of NCLB.
- Insist that states provide accurate and accessible data on the qualifications and competence of teachers.

State policymakers should:

- Ensure state laws or board policies reflect an expectation that High Objective Uniform State Standards of Evaluation (HOUSSE), combined with the state’s certification requirements, truly guarantee all teachers are knowledgeable in the subjects they teach.
- Develop data systems that provide a clearer picture of the quality and effectiveness of teacher preparation programs (where teachers are trained, where they are placed, their performance in the classroom and so on).
- Develop state policies that provide teachers – particularly those in hard-to-staff schools – with greater access to high-quality professional development.

- Ensure state policies require all teachers using alternative routes to certification to demonstrate subject-matter competency, and provide a strong, consistent induction and mentoring program.
- Ensure the quality of teachers in high-poverty schools is comparable to the quality of teachers in more affluent schools.
- Develop policies that provide significant incentives for accomplished teachers who agree to teach in hard-to-staff schools.

Money

Federal officials should:

- Meet NCLB funding obligations, once accurate levels of need are determined.
- Provide incentives for school improvement interventions in non-Title I schools.
- Identify which NCLB requirements are being delayed in which states because of cost concerns, and structure market incentives to respond to the findings.

State policymakers should:

- Work to refine accounting practices and procedures across state, district and school levels. Ensure money is accounted for in ways that lead to increased knowledge of factors and conditions that influence student performance.
- Invest in the development of statewide-data systems capable of complex analysis and reporting, and of providing longitudinal data and unique student identifiers. Push for adequate federal funding for such systems. In cases where privacy objections arise, the federal government should rely on an independent council to set guidelines on use and security.
- Ensure state finance systems reflect the new priorities of NCLB.