



# No Child Left Behind in California?

Two years after President George W. Bush signed the act No Child Left Behind (NCLB), its comprehensive provisions are beginning to affect California public schools in ways large and small. And while the law is long and complicated, its central purpose is “to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments.”

NCLB reauthorizes the Elementary and Secondary Education Act (ESEA), created in 1965 to support the education of the country’s poorest children. Congress must reauthorize it every six years.

The law’s ambitious goals are consistent with much of the standards-based reform agenda California has been pursuing since its adoption of academic content standards in 1997. But NCLB has prompted many significant changes in state policies and local school practices. The January 2004 EdSource report—*No Child Left Behind in California? The Impact of the Federal NCLB Act So Far*—covers changes California has made in major education policy areas to comply with NCLB and their impact on the state and its schools.

## NCLB prompts changes in California’s accountability system

NCLB’s approach to school reform, like California’s since 1999, leans heavily on standardized test results to hold schools accountable for their students’ performance. However, the elements that California has had to integrate into its accountability system to maintain access to about \$2 billion in federal funding under NCLB take the state in new directions. For example, the newly integrated accountability system:

- creates a different method for measuring Adequate Yearly Progress (AYP) that is based on achieving annual measurable objectives (AMOs) for student test scores, having 95% student participation in state testing, and meeting standards on state-selected additional indicators;
- places greater emphasis on the progress of student subgroups by (1) requiring that each student meets the same standards for performance and participation in both English and math; and (2) adding Special Education students and English learners to the other subgroups (based on income and ethnicity) for whom schools and districts will be held accountable;
- extends public accountability—and the consequences for not meeting targets—beyond schools to districts and the state;
- involves parents more directly and calls for individualized educational services for low-income students when schools or districts do not meet expectations.

As currently implemented in California, NCLB’s consequences for not meeting performance targets apply only to Title I schools—about 65% of schools and 95% of districts statewide. State policymakers are working on meshing the intervention programs associated with California’s Academic Performance Index (API) system—which applied to both Title I and non-Title I schools—with the intervention program that NCLB requires.

## NCLB requires a special proficiency target for English learners

NCLB contains a number of separate sections or “titles.” Title III requires states to establish benchmarks and measure the progress of students trying to attain English proficiency. California’s implementation requires Title III districts to monitor the progress of English learners (ELs) in learning and attaining English fluency. This is in addition to the Title I requirements related to EL students achieving proficiency in English language arts and math.

NCLB called for the state to set performance goals for English acquisition specifically and to monitor districts’ progress against those goals. In response, the state adopted two sets of performance goals for English learners, with annual targets similar to the AYP system. One set involves students’ making annual *progress toward* English proficiency, and the other deals with the *attainment of* English proficiency. These district-level goals are referred to as annual measurable achievement objectives (AMAOs). The state requires districts to measure English language proficiency with the California English Language Development Test (CELDT).

The federal law also includes requirements districts must meet in order to secure Title III grants, such as certifying that all teachers in any language-instruction program funded with NCLB dollars are fluent in English and any other language used for instruction. A district must also follow comprehensive rules for communicating with parents.

## NCLB affects teacher and paraprofessional qualifications

NCLB dramatically increases federal attention to teacher quality not just in Title I schools but in all schools. The act calls for teachers to be “highly qualified” but allows each state to define that term as long as the definition meets specific minimums and emphasizes teachers’ knowledge in the subjects that they teach. The requirement applies to “core” subject areas that cover virtually all subjects except physical education.

California’s receipt of Title I basic grants is conditioned on ensuring that teachers of core subjects are highly qualified. Districts are expected to have highly qualified teachers in their schools by 2005–06.

NCLB's standard for a highly qualified teacher is largely aligned with credentialing requirements California recently put in place for all new teachers in the state. In adopting regulations to implement NCLB, the State Board of Education has worked extensively with the California Commission on Teacher Credentialing (CTC) and has tried to integrate the new federal requirements with California's existing teacher preparation and credentialing process.

Those who have been issued a teaching credential or have enrolled in an internship program after July 1, 2002 must pass a subject-matter test approved by the CTC. The tests for elementary and secondary teachers differ. Also, at the middle and high school levels, teachers must demonstrate mastery in every subject that they are assigned to teach either by passing the appropriate subject-matter exam or by having taken college coursework.

The law requires that school districts also certify the subject-matter competency of every experienced teacher, providing several options for doing so. (Experienced teachers are defined as those who were issued a teaching credential or entered an internship program before July 1, 2002.) To meet this requirement, experienced teachers can take and pass the same state-approved subject-matter tests as new teachers, or at the secondary level certify completion of the same coursework. Experienced secondary teachers may also demonstrate their subject-matter competence by becoming certified by the National Board for Professional Teaching Standards.

Teachers who do not wish to or cannot demonstrate their subject-matter competency through those methods may do so based on a new High Objective Uniform State Standard Evaluation (HOUSSE) process. This is based on a state-approved rubric that assigns points for various qualifications, including:

- an individual's years of experience teaching in the particular grade span and subject;
- relevant college coursework;
- professional development aligned to state standards; and
- any professional educational service within the content area.

Teaching experience can count for no more than half of the

total needed. If a person cannot demonstrate competency based on these first criteria, a second check must be conducted. This includes either a direct observation of instruction or a portfolio review of the teacher's lesson plans and student work for one school year.

Teachers only have to demonstrate subject-matter competence for a grade span and/or subject area once.

NCLB also set a standard for the knowledge and/or minimum education level for paraprofessionals who work as instructional aides in Title I schools. Previously California had required instructional aides to demonstrate proficiency in basic reading, writing, and math at the level required of high school seniors in the districts that hired them. Under the new law, every paraprofessional hired on or after Jan. 8, 2002 who is supported by Title I funds and who assists in instruction must have a high school diploma and either have a minimum two years of college, possess an A.A. degree, or pass a district-selected test of knowledge and ability. Those hired prior to January 2002 must meet the same requirement by January 2006.

### Parental rights are central to NCLB

A central tenet of NCLB is that public awareness of school performance can lead to school improvement, particularly when coupled with greater parental empowerment. Parents have the right to remove their children from Title I schools that are identified as needing improvement, with the district providing free transportation to a better-performing school. Should a school fail to meet its objectives for two consecutive years, low-income parents also have the option to get supplemental educational services for their children outside of regular school hours, and at no charge.

### NCLB has overarching implications and unresolved issues

The provisions of NCLB summarized here include those that have had the greatest impact in California so far. In the world of education policy, however, the law is still a youngster. Its provisions are just beginning to reach local schools and districts in a meaningful way, and related regulations and guidance meant to clarify the act continue to change.

This transition is uncomfortable for California, particularly given its timing. The state had already committed to a whole set of standards-based reforms that were just becoming familiar. And state budget cuts to K–12 education have left schools struggling to simply continue business as usual. Implementing another set of sweeping reforms is inconvenient at best and in some cases very challenging. The ultimate effect of the law on the quality of education in California remains to be seen. **□□**

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## How can I find out more?

You can order the full report—*No Child Left Behind in California? The Impact of the Federal NCLB Act So Far*—by calling the EdSource office, 650/857-9604, or going online at: [www.edsource.org](http://www.edsource.org)

Answers to Frequently Asked Questions about NCLB plus a good overview of accountability under NCLB can also be found on the EdSource website.

For information on API and AYP, including reports for specific schools, go to the Ed-Data Partnership website at: [www.ed-data.k12.ca.us](http://www.ed-data.k12.ca.us)



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EdSource thanks **Washington Mutual** for providing significant support for the development of this publication.

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