

Making Sense of Adequate Yearly Progress



The *No Child Left Behind (NCLB) Act of 2001* has brought about a sea change in education in the United States. While the act has its detractors—as well as its admirers—among educators, parents, government officials, and the media, there is little doubt that NCLB has cast new light on public schools by using hard data to focus on achievement gaps at the individual school level.

This Topical Summary discusses one key aspect of NCLB: adequate yearly progress (AYP). It reviews the major requirements of AYP, examines how the five Northwestern states determine AYP, and reports what the current data tell us about the achievement gaps among groups of students in these states. Finally, this report looks at how the top state education officials are viewing AYP results.

PLACING AYP IN CONTEXT

The adequate yearly progress (AYP) requirement is at the core of NCLB's accountability system. While AYP existed in another form in prior legislation, NCLB changed the emphasis from overall student performance to the performance of subgroups.

The law states that “schools must establish a definition of adequate yearly progress that each district and school is expected to meet. States must specify annual objectives to measure progress of schools and districts to ensure that all groups of students—including low-income students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency—reach proficiency [in reading and math] within 12 years.”

FOUNDATION LEGISLATION

NCLB and its requirements for adequate yearly progress grew out of the Elementary and Secondary Education Act (ESEA), which Congress enacted in April 1965 to provide guidance and funding to public K–12 schools. This legislation formed the most important educational component of President Lyndon B. Johnson's “War on Poverty” by establishing the Title I program, which provides “compensatory” education funding for economically disadvantaged students. Over the years, ESEA has allocated billions of dollars to schools with high populations of economically disadvantaged children through Title I. The act remains a work in progress and continues to exert a powerful influence on education and public policy in the United States some four decades after its inception.

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Congress reauthorizes ESEA every five years: The No Child Left Behind Act of 2001 is merely the latest incarnation. When the law was passed, it received widespread bipartisan support and President Bush hailed it as “the cornerstone of my administration.” During his first week in office, the President observed, “These reforms express my deep belief in our public schools and their mission to build the mind and character of every child, from every background, in every part of America.”

THE LATEST MODEL

NCLB is the most sweeping reform yet of ESEA while renewing the federal commitment to closing achievement gaps. It establishes a framework for raising student achievement and adds accountability provisions to Title I grantees. These provisions hold states,

school districts, and individual schools accountable for improving the academic achievement of *all* students, with *all* as the operative word.

The accountability provisions require that states:

- Create challenging academic content and student academic achievement standards
- Create assessments that measure the reading and math skills of all students in grades 3–8 annually and in at least one grade during grades 10–12 by the 2005–2006 school year
- Issue “report cards” on each school’s academic achievements
- Implement a single statewide accountability system
- Specify annual measurable objectives that gauge student progress to ensure that all students reach proficiency in reading and math in 12 years with the data disaggregated for students with limited English proficiency and by income levels, race/ethnicity, and students with disabilities

Being accountable for the performance of *all* students is one of the major challenges of NCLB. This accountability is based on whether states, districts, and schools are making adequate yearly progress toward the aim of bringing *all* students to academic proficiency by the end of the 2013–2014 school year.

MARKING PROGRESS

NCLB requires states to use a five-step process to determine whether Title I schools are making adequate yearly

progress. The process, summarized below, is drawn from *No Child Left Behind: A Desktop Reference*, published by the U.S. Department of Education. Each state has an accountability plan approved by the federal government that specifies how the steps are implemented.

STEP 1: STATES ESTABLISH ACADEMIC STANDARDS

Academic standards articulate what students should know and be able to do; they must apply uniformly to all schools and students in the state. The standards should include challenging academic content in academic subjects but must, according to NCLB, begin with standards in reading and math as the primary measures of AYP. By the 2005–2006 school year, states also must have in place standards for science. After standards are established, states develop tests that measure whether students are “proficient” in reading and math by meeting state benchmarks.

STEP 2: STATES CALCULATE THE STARTING POINT FOR AYP

The goal of NCLB is for all students to be proficient in reading and math by 2014. However, states set the initial starting point for determining whether schools have made AYP by using 2001–2002 assessment data in one of two ways. The baseline is either the passing rate for the lowest-performing subgroup of students in the state (low income, disabled, limited English proficient, racial/ethnic minority) or the passing rate for the school at the 20th percentile of overall performance in the state, whichever is higher. The beginning target must be the same for all groups of students at the tested grade level within a district or school. By setting initial goals at the 20th percentile school, which is the case for

all five Northwest states, the AYP requirement focuses immediate attention on those schools and groups of students that lag behind their peers academically.

STEP 3: STATES STEADILY INCREASE OBJECTIVES FOR STUDENT ACHIEVEMENT

Once the baseline is established, the states set interim AYP targets for increasing the number of students who are proficient, with the goal of 100 percent of students reaching the state’s standards for proficiency by 2014. By 2004–2005, schools are expected to have hit the first improvement target. Other targets must be no more than three years apart, which means the target will be reset at least five times in 12 years. Target increases must be equal and incremental; for example, a state that starts at 40 percent in 2001–2002 might shoot for 45 percent in 2004, 50 percent in 2006, 55 percent in 2008, and so on until the 100 percent target is reached. Targets for tested grade levels must be the same for all schools and for all subgroups of students within schools.

States were also required to set one additional measure of academic progress. For high schools, that measure is the graduation rate. For elementary and middle schools, each state selected its own measure—usually attendance rates, achievement on additional state assessments, or decreases in grade-by-grade retention rates.

STEP 4: STATES MEASURE PERFORMANCE OF SCHOOL DISTRICTS, SCHOOLS, AND GROUPS OF STUDENTS

Under NCLB, states must determine annually if a Title I school is hitting the state-established AYP targets. States compare the percentage of students in each school and the percentage of students in

each subgroup who meet proficiency standards to the statewide goals for the year. States also measure whether the school has met the statewide goal for the additional academic indicator. AYP requirements are satisfied when the school as a whole and each individual subgroup within the school meet or exceed the statewide goals, with an average of 95 percent of the students completing the assessments. By 2005–2006, states must begin assessing reading and math every year in grades 3–8 and at least once in grades 10–12.

STEP 5: STATES BEGIN ACTION TO HELP STRUGGLING SCHOOLS

The sanctions for Title I schools not meeting AYP requirements are straight-forward under NCLB.

FACING THE CONSEQUENCES

Each year, schools are required to report their AYP progress to parents and the community through school and district report cards.

If a school does not make AYP after the first year of measurements:

Schools and districts are encouraged to use the data to identify problems and make necessary adjustments.

If a school does not make AYP for two consecutive years:

- The school must identify the specific areas that need improvement and develop an improvement plan with parents, teachers, and outside experts.
- The school must devote at least 10 percent of its Title I Part A allocation to professional development.

- Parents are notified and given the option of transferring their children to a higher-performing school in the district. Priority is given to the lowest-achieving low-income students in that school. Transportation is provided or paid for by the district out of its Title I allocation or another source.

If a school does not make AYP for three consecutive years:

- The school continues previous remediation activities.
- Parents are given the option of using state-approved supplemental services like tutoring. These services are paid for with Title I funds. (School districts are required to spend 20 percent of their Title I Part A funds for both supplemental services and transportation for public school choice.)

If a school does not make AYP for four consecutive years:

- The school continues to notify parents, provide transfer options, and offer supplemental services.
- The district and school must implement at least one of the following “corrective actions”:

 - Replace staff relevant to the failure
 - Implement a new curriculum that includes staff development
 - Decrease management authority at the school level, replacing it with more district supervision
 - Extend the school day or year
 - Appoint an outside expert to advise the school
 - Restructure the school’s internal organization

If the school does not make AYP for five consecutive years:

- The school must continue corrective action.
- The school must plan for restructuring.

If the school does not make AYP for six consecutive years:

- The school must continue corrective action.
- The school must develop an “alternate governance” plan that includes one of the following actions:
 - Reopening the school as a public charter school
 - Replacing all or most of the staff responsible for the lack of progress
 - Engaging a private company to operate the school
 - Turning over management of the school to the state
 - Implementing other reforms approved by the state

It takes two consecutive years of making AYP for a school to no longer be identified as needing improvement. While NCLB suggests using the term “in need of improvement” to describe schools that do not meet AYP requirements for two consecutive years, many states are developing their own terms to describe schools that exhibit different levels of improvement.

SAFE HARBOR

NCLB includes a provision—known as “safe harbor”—for schools making definite progress but not yet meeting state goals. Even if a school or subgroup within a school falls short of state performance targets, the school will make AYP if it reduces the number of students below the proficient level by 10 percent from the previous year *and* if students in the subgroup show improvement on the additional academic indicator. Schools can apply this safe harbor analysis to any subgroup of

students that fails to meet the statewide goal.

T.T. Minor Elementary School in Seattle, Washington, is one example of a Northwest school that has made AYP under the safe harbor provision. Less than a third of the students in this high-poverty, high-minority school were proficient in reading in 2002–2003, a level well below Washington’s AYP target of 56 percent. In math, only 16 percent of all students were proficient, compared to the state’s target of 36 percent. Still, the school made *significant improvement* compared to 2001–2002, when only 15 percent of students were proficient in reading and no students were proficient in math. That level of progress enabled the school to meet adequate yearly progress requirements.

ADDITIONAL PROVISIONS

NCLB includes three provisions that ensure the quality of data used in determining AYP compliance:

- States may average scores from the reporting year with scores from either the previous year or the previous two years when computing the score that will be compared to the state performance target. Schools may also average scores across all grades within a school.
- Schools are accountable only for the performance of students who have been enrolled in the school for the full academic year.
- Schools are accountable only for subgroups that are large enough to provide “statistically valid and reliable” data.

Each state can set the minimum number of students required for subgroup accountability.

THE STATES’ PLANS

NCLB required each state to submit a plan by May 2003, detailing its accountability system. The plan, known as the *Consolidated State Application Accountability Workbook*, contains 31 critical elements grouped under 10 “principles.”

There is great variation among the states in their plans, particularly in how they handle annual objectives and intermediate goals. For example, Washington has separate objectives and goals for reading and for math in each of the three tested grades. The other four states in the Northwest put all tested grades on the same scale. Also, Washington’s objectives increase every year, while the other states’ increase in “stair steps” every third year. Each of the five Northwest states has its own battery of assessments used to determine if students are meeting state proficiency targets in reading and math.

The accountability system for limited English proficient students also varies from state to state and is of particular interest in the Northwest region, which is home to immigrant populations speaking a wide variety of languages and to a sizable American Indian and Alaska Native population speaking Native American languages. Oregon administers math tests in Spanish and Russian side-by-side with English. Students can also choose to take both math and reading tests with the questions presented in simplified language. Alaska is considering developing foreign or Native language versions of its exams while Idaho is considering administering the ISAT in Spanish.

For additional state guidelines, check the online resources on Page 5.

A WORK IN PROGRESS

As originally written, NCLB required that at least 95 percent of the students in each subgroup take the tests for the results to be valid. However, in March 2004, the U.S. Department of Education eased the restrictions by reducing the number of students a school must test. Under the current policy, the school meets the requirements as long as it averages a participation rate of 95 percent among students over two or three years.

NCLB regulations have undergone other changes as well. In December 2003, U.S. Secretary of Education Rod Paige issued final regulations on how schools may test certain students with disabilities. Each state may now define a “significant cognitive disability.” Students who fit within this subgroup may be given an alternate academic assessment based on alternate achievement standards. Each state will have to develop the alternate standards and assessments, which could include out-of-grade-level assessments.

Another revision, adopted in February 2004, affects assessments of limited English proficient (LEP) students. Any newly arrived immigrant student who has been in the United States for less than one calendar year may be exempted from the reading test, although these students must still take the math test. States also have the option to count in the LEP subgroup “exited” LEP students for up to two years after they reach English proficiency. This allows the schools to count their successes in working toward the goal of 100 percent proficiency in reading.

REGIONAL AYP PATTERNS

So far, what patterns in school or student performance in the Northwest emerge from the AYP data? The Northwest Regional Educational Laboratory (NWREL) in Portland, Oregon, has compiled the most recent AYP results for Oregon, Washington, Alaska, Montana, and Idaho. The findings show that 1,400 out of 5,100 schools in the region—or more than a quarter—fell short of AYP targets.

Other findings include:

- The percentage of schools not meeting AYP varied from 20 percent in Montana to 58 percent in Alaska. The differences are partly explained by differences in standards, assessments, and benchmarks, but more by differences in student demographics and school sizes. Alaska is already testing all grade levels from three through 10, which makes its schools more accountable for their performance. Most other states tested only in three or four grades in 2003.

Alaska Education Commissioner Roger Sampson noted, “Making AYP isn’t easy. In fact, it’s very, very hard. There’s one way to make AYP and many, many ways of not making it . . . The ‘all or nothing’ nature of AYP will be very difficult for many of our schools on a year-by-year basis, particularly good schools that serve diverse student populations. A school may be doing a very good job as a whole but miss the mark for all but a few students.”

- Large schools are much less likely to make AYP than smaller schools because they are more likely to meet the minimum subgroup size for one or more subgroups. In Washington, for example, the average number of students in the tested grade in schools not meeting AYP was 203 students, which is more than

three times that of schools that met AYP (average size, 67) in 2003. In Oregon, only seven of 84 schools with 1,000 or more total enrollment met AYP.

Size was also a big factor in Montana, which revised the status of almost 200 schools—adding them to the list of schools meeting federal standards—after taking into account the state’s rural makeup. “Because of their very small enrollments and the need to protect student privacy, Montana’s smallest schools required a modified procedure to determine their (AYP) status,” explained Superintendent of Public Instruction Linda McCulloch.

- Since middle schools and high schools tend to be large schools with more students in the tested grades than elementary schools, they were much less likely to meet AYP than elementary schools. For example, none of the 13 Montana high schools with more than 1,000 students met AYP.
- The most common criteria for which states did not meet AYP varied greatly. In Alaska, the performance of all students, Alaska Natives, students with disabilities, and economically disadvantaged students each had a major impact on schools not reaching their targets. In Oregon, the performance of students with disabilities on both math and reading was the most common reason for not meeting AYP.

In issuing the AYP results for Oregon schools, Superintendent Susan Castillo stated that she is committed to NCLB but also to “an ongoing dialogue with the U.S. Department of Education and our Congressional delegation about the criteria for AYP.” She added, “I am committed to work hard to ensure compliance with the law, but I will not hesitate to point out instances where the application of the law results in manifest consequences, which indicate the law should be modified.” Castillo

RESOURCES

For a detailed look at Adequate Yearly Progress guidelines for your own state and other states, see the **State Accountability Plans** online at www.ed.gov/admins/lead/account/stateplans03/index.html

For the U.S. Department of Education **Decision Letters** on the State Accountability Plans: www.ed.gov/admins/lead/account/letters/index.html

For **state contacts** and details on the implementation of the State Accountability Plans in the Northwest states, see these NCLB/Title I-specific resources at the state education agency Web sites:

Alaska: www.educ.state.ak.us/nclb/
Idaho: www.sde.state.id.us/sasa/
Montana: www.opi.state.mt.us/TitleI/
Oregon: www.ode.state.or.us/nclb/
Washington: www.k12.wa.us/ESEA/

For links to **NCLB-specific resources** at professional association and other organization Web sites see:

- Council of Chief State School Officers: www.ccsso.org/federal_programs/NCLB/index.cfm
- Education Commission of the State <http://nclb.ecs.org/nclb/>
- American Association of School Administrators: www.aasa.org/NCLB/
- National Association of State Boards of Education: www.nasbe.org/Front_Page/NCLB/NCLB.html

also observed that Oregon's overall increase in scores has come "at the cost of wholesale elimination of 'extras' . . . from music to sports."

- A substantial minority of schools that did not meet AYP missed on only one criterion, but more commonly they missed on two to five criteria. To show the situation in one state, a quarter of Idaho schools not meeting AYP missed just one criterion and more than half missed on two to five. Almost one in 10 missed on 10 or more criteria.

Commenting on the results, Idaho Superintendent of Public Instruction Marilyn Howard urged parents and the public to look beyond the headlines and review each school's full report, available on the State Department of Education's Web site. "The reports provide a more detailed picture than the label the schools will receive. It also is important to remember that for most schools these reports reflect the performance of one grade level, not an entire school. These reports will be more meaningful in the future when all the state's tests are in place," she said.

CONCLUSION

Now that much of the initial AYP data have been collected and analyzed, what do they tell us? The Education Trust, a national advocacy and research organization, concludes that "the system is doing what it was meant to do: shining a bright light on the state of achievement in America, identifying schools that need improvement, and allowing us to take important steps toward closing achievement gaps and having all students profi-

cient in reading and math over the coming decades." Besides providing consistent goals that apply to all schools and all students within each state, the Education Trust believes the AYP reports show that "demography is not destiny, that schools educating large numbers of low income and minority students are capable of not only meeting state standards for achievement, but vastly exceeding them."

"The goals of No Child Left Behind are right for our nation," adds Washington Superintendent of Public Instruction Terry Bergeson. "We can't continue to evaluate our education system by measuring overall student performance when those overall scores mask a devastating achievement gap affecting the kids with the most challenges in their lives."

However, Bergeson goes on to say that the way AYP is calculated highlights the complexities of the federal law and its unintended consequences. "A school or school district that is large and diverse has more 'categories' it must achieve in, so there is great disparity among schools and districts in how close they came to making adequate yearly progress and the challenges they face in trying to raise student achievement. The state uniform goals run counter to the continuous improvement goal we've advanced in our state."

In the end, Bergeson may speak for both critics and supporters of NCLB in pointing out that "we cannot become lost in statistics . . . Behind every number is a child depending upon us to make sure he or she is given the necessary tools to discover and achieve his or her dreams."

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