

## **HANDOUT: No Child Left Behind Act—An Overview**

**Background.** Since enacted in 1965, the *Elementary and Secondary Education Act* (ESEA) has become our nation’s most comprehensive federal education policy. The law sets policies and procedures for public education in all states. By law, Congress must review and reauthorize it every five to six years.

ESEA has been reauthorized and renamed several times since 1965. *No Child Left Behind* (NCLB) is the most current version. When Congress’ reauthorized version of ESEA was signed into law in January 2002, it was named the *No Child Left Behind Act* (NCLB). Both names – ESEA and NCLB – sometimes are used interchangeably, but they refer to the same law. This document will use the most recent name, NCLB, to reinforce the most recent reauthorization of the law.

NCLB programs supplement state and local efforts to provide all children with a high-quality education. Programs target funds to address specific national priorities that Congress believes are not being met at the state and local levels. The law contains more than 40 programs identified as national priorities by Congress and expands significantly the federal role in education by placing very specific demands on states and school districts to set high standards of proficiency that all students must meet by 2014.

**Assessments.** For the first time, states are required by federal law to develop annual assessments for children in grades 3 through 8 in math and reading by the 2005–2006 academic year. In school year 2007–2008, states must add a science assessment. All students must participate in the assessments, and test results must be separated, showing student progress among all subgroups. Each state chooses its own tests or assessments, which must be designed according to quality guidelines, set by the U.S. Department of Education, be aligned with the state’s academic standards of learning, and provide accurate and consistent information about the students’ attainment of the standards. States will devise adequate yearly progress (AYP) standards, and if they are not met, schools will be subject to sanctions and corrective actions.

Provisions of this requirement include: (1) All public students must take the same test. (2) Parents, teachers, and school administrators will receive each child’s test results, in a language and format that is easily understandable, within one year after the test is taken. (3) Annual state report cards will disaggregate (separate) student achievement by subgroup, unless the number of students within the subgroup is so small that separating scores would reveal an individual student’s identity. (4) Students with disabilities are required to take the same state reading and math tests as other students in their *chronological* grade, with very few exceptions. Under these regulations, states could allow schools districts to test students with the most significant cognitive disabilities using an alternate assessment that is consistent with academic standards geared to these students’ instructional level rather than their grade level. States and school districts can use alternative assessments on no more than 1 percent of the total students being tested.

Additionally, states are required to participate in state NAEP (National Assessment of Educational Progress) every two years in reading and in grades 4 and 8 for math.

**Adequate Yearly Progress (AYP).** A school's AYP score will be determined by student achievement on the state assessments, and every subgroup must meet AYP expectations. Schools that receive funds through ESEA's Title I will face consequences if they do not achieve AYP. Those consequences include school choice, supplemental educational services, and school restructuring. Schools that do not receive Title I funds must report AYP information, but are not subject to consequences.

**Report Cards.** Starting in the 2003–2004 school year, states and school districts must develop and distribute annual report cards to parents and the public. The report cards must include achievement data from the state assessments in math and reading, and the data must be separated by groups of students, i.e., the major racial and ethnic groups, students with LEP, etc. Report cards for high schools also must include graduation rates, and states will choose another required indicator of progress for elementary schools. There are additional requirements for information to be included in report cards.

**Teacher Quality.** NCLB places strong emphasis on teacher quality in promoting improved student achievement and requires that all public school teachers be “highly qualified,” as defined in the law, by the end of the 2005–2006 school year,

**Parent Involvement.** For the first time ever, parent involvement is defined in the law and requirements are included in each of NCLB's 10 titles. (A title is a section of the law.) The parent involvement provisions in the new NCLB are enhanced with requirements designed to strengthen parents' participation in their children's education. States and school districts must identify certain parent involvement activities in written plans and, in many cases, involve parents in the plan development.

**Titles.** Following is an overview of the 10 titles in NCLB:

- Title I – “Improving the Academic Achievement of the Disadvantaged.” Contains testing requirements, accountability requirements tied to AYP, funds for disadvantaged students, reading, migrant populations.
- Title II – “Preparing, Training, and Recruiting High Quality Teachers and Principals.” Contains provisions for in-service training for teachers and other school personnel, requirements for “quality” teachers and paraprofessionals.
- Title III – “Language Instruction for Limited-English-Proficient and Immigrant Students.”
- Title IV – “21<sup>st</sup> Century Schools.” Includes safe and drug free schools, before and after-school programs.
- Title V – “Promoting Informed Parental Choice and Innovative Programs.” Includes 20 programs including public school choice, charter and magnet schools, school counseling, character education, smaller learning communities, gifted and talented,

mental health, arts in education, parent involvement resource centers (PIRCs), and star schools.

- Title VI – “Flexibility and Accountability.” Contains provisions for testing and everything associated with it, transferring funds between select programs, rural education.
- Title VII – “Indian, Native Hawaiian, and Alaska Native Education.”
- Title VIII – “Impact Aid.” Provides financial support to states where there is federal land and no tax base, e.g. military bases.
- Title IX – “General Provisions.” Includes definitions, educational parity (women’s athletics), school prayer, unsafe schools, Armed Forces recruiting in public schools.
- Title X – “Repeals, Redesignations, and Amendments to Other Statutes.” Includes components addressing homeless children’s education and Native American education.

## Resources

- Any state department of education
- *Developing Educational Standards*, [www.edstandards.org/standards.html](http://www.edstandards.org/standards.html)
- *From the Capital to the Classroom: State and Federal Effort to Implement the No Child Left Behind Act*, Center for Education Policy, [www.ctredpol.org](http://www.ctredpol.org)
- *A Guide to Effective Accountability Reporting*, Council of Chief State Schools Officers, [www.ccsso.org](http://www.ccsso.org) or (202) 408–5505
- Learning First Alliance, <http://www.learningfirst.org/publications/nclb/>
- *Leave No Child Behind: How to Engage the Public*, Public Education Network, [www.publiceducation.org/pdf/NCLBBook.pdf](http://www.publiceducation.org/pdf/NCLBBook.pdf)
- *The Next Step Is Yours: National PTA’s ESEA Implementation Guide 2002*, [www.pta.org](http://www.pta.org) or (800) 307–4782
- *No Child Left Behind*, National Association of State Boards of Education, <http://www.nasbe.org/NCLB/NCLB.html>
- *No Child Left Behind Act*, U.S. Department of Education, [www.nclb.gov](http://www.nclb.gov) or (800) 872–5327
- *Notification and Reporting Requirements for Local School Boards*, National School Boards Association, [www.nsba.org](http://www.nsba.org) or (703) 838–6722
- *Provisions of the No Child Left Behind Act (NCLB) and the Individuals with Disabilities Education Act (IDEA)*, National PTA, [http://www.pta.org/ptawashington/vld/nclb\\_idea.asp](http://www.pta.org/ptawashington/vld/nclb_idea.asp)
- U.S. Department of Education, <http://www.ed.gov/policy>