

THE NO CHILD LEFT BEHIND ACT & ADEQUATE YEARLY PROGRESS

The No Child Left Behind Act (NCLB) requires states to meet annual testing goals in reading and math with the ultimate goal of achieving 100 percent student proficiency by the end of the 2013-2014 school year. These testing goals are defined as “Adequate Yearly Progress” or “AYP.” (An example of yearly goals are illustrated in Chart 1.) Failure to meet the standards results in punitive sanctions and negative labels for schools.

2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
40%	46%	52%	58%	64%	70%	76%	82%	88%	94%	100%

Chart 1. Example of Adequate Yearly Progress Benchmarks

To achieve proficiency, schools must reach an increasing level of student performance. Students within different subgroups must also reach the same level of performance and are measured separately. Students are divided into key subgroups: racial and ethnic groups, economically disadvantaged, limited English proficient and students with disabilities. If any one of these subgroups fails to meet performance standards, the school does not make AYP.

However, despite the best efforts of skilled teachers, some groups of students may be unable to meet the proficiency goals in the allotted amount of time. This has proven especially true for students with learning disabilities, as well as students learning English for the first time.

How a School Can Score 97% Yet Still “Fail” to Make AYP					
	Math Participation	Reading Participation	Reading Proficiency	Math Proficiency	Additional Indicator
All Students	✓	✓	✓	✓	High schools need to meet an overall graduation rate, while elementary and middle schools need to meet another indicator (typically an attendance rate).
High Poverty	✓	✓	✓	✓	
Asian	✓	✓	✓	✓	
Black	✓	✓	✓	✓	
Hispanic	✓	✓	✓	✓	
Native American	✓	✓	✓	✓	
White	✓	✓	✓	✓	
Students with Disabilities	✓	X	✓	✓	
Limited English Proficient	✓	✓	✓	✓	

Chart 2. AYP Indicators

Additionally, 95 percent of all students (and subgroups) must participate in annual reading and math tests in grades 5, 8 and 11 to make AYP. If the required number of students in a subgroup is not tested, the entire school is deemed to have failed to meet AYP overall. That means that a school can fail to meet proficiency if just a handful of students are not in attendance on the test day.

The Impact of “Adequate Yearly Progress” Requirements on States

In the 2004-2005 school year, 21,350 schools failed to make AYP. Eleven thousand schools were labeled “in need of improvement” because they had failed to make AYP for two consecutive years and must offer school transfers to every student. (See table of all 50 states AYP percentages below.)

In many states, schools received top grades under their state schools systems, but failed to make AYP. For example, in Florida 827 schools received an “A” grade under their state school system, but failed to make AYP under the federal system. In North Carolina, 102 schools were rated “excellent” by the state, but failed to make AYP.

State AYP Projection Studies

To date, 12 states have conducted studies projecting the number of schools that will not meet NCLB's proficiency requirements by 2014. According to the studies, a minimum of 74 percent of schools in the 12 states will fail to make required progress. In fact, a study commissioned by the California Department of Education found that if the Adequate Yearly Progress regulations of NCLB are not fixed, 99 percent of California's schools are projected to fail to meet AYP by 2014.

California - 99%	Louisiana - 75%
Connecticut - 93%	Massachusetts - 74%
Florida - 90%	Michigan - 96%/99%
Minnesota 81%-86%	Ohio - 85%-88%
Illinois - 96%-99%	Pennsylvania - 77%
Indiana - 94%-99%	Wisconsin - 85%-94%

Chart 3. State AYP Projections by 2014

CQE's Massachusetts & Pennsylvania Studies Point to AYP Challenges for Diverse Schools

In 2004 and 2005, CQE commissioned studies of AYP projections in Massachusetts and Pennsylvania. The findings indicate that the vast majority of schools in Massachusetts (74 percent) and Pennsylvania (77 percent) will fail to meet NCLB's proficiency requirements by 2014.

The Massachusetts and Pennsylvania findings pointed to unique challenges that will confront schools with diverse student bodies. According to NCLB requirements, if one subgroup fails to meet NCLB proficiency targets, the entire school fails. However, schools are not held accountable for subgroup performance when fewer than 40 students are tested. Beginning in 2006, all students - not just those in grades 5, 8 and 11 - will be tested in reading and math, thereby increasing the number of students tested in each subgroup.

The Massachusetts study found that 77 percent of schools that are projected to fail to meet AYP by 2014 (990 schools) have one or more subgroups that include minority, low-income or special needs students. Additionally, 86 percent of schools with at least 40 percent of their students in poverty will not meet NCLB targets by 2014. In Pennsylvania, less than 28 percent of African American and Hispanic students and only 15 percent of special education students were proficient in math in 2004. Reading proficiency percentages for the three groups were slightly higher but still fell short of the 45 percent target.

However, subgroup performance will not be solely responsible for Pennsylvania schools failing to meet universal proficiency by 2014. White students in Pennsylvania are projected to exceed the growing proficiency requirements until 2012, when the proficiency requirements for these students reach the 80 percent target for both math and reading. Thereafter, the requirements for math and reading are projected to exceed the proficiency rates achieved by White students. By 2014, White student proficiency percentages will fall short of math and reading targets by at least 15 percentage points.

In short, the current AYP requirements create dozens of ways to "fail," but only one way to pass. Such a system does not help identify the schools and students that are truly most in need and focus additional resources toward them. Instead, resources are spread among so thinly among "failing" schools that far less can be directed toward closing achievement gaps.

Chart 4. Percentage of Schools Missing AYP by State

State	2003-2004	2004-2005	2005-2006
Alabama	71 out of 1547 (4.6%)	1042 out of 1361 (76.5%)	641 out of 1366 (47.0%)
Alaska	282 out of 488 (57.8%)	207 out of 497 (41.6%)	203 out of 495 (41.0%)
Arizona	403 out of 1695 (23.8%)	312 out of 1752 (17.8%)	236 out of 1780 (13.3%)
Arkansas	281 out of 1130 (24.9%)	328 out of 1033 (31.7%)	
California	4145 out of 9019 (46.0%)	3182 out of 9206 (34.6%)	4055 out of 9188 (44.1%)
Colorado	436 out of 1761 (24.8%)	390 out of 1822 (21.4%)	450 out of 1850 (24.3%)
Connecticut		187 out of 986 (19.0%)	196 out of 979 (20.0%)
DC	83 out of 151 (55.0%)	90 out of 156 (57.7%)	92 out of 151 (60.1%)
Delaware	97 out of 172 (56.4%)	45 out of 173 (26.0%)	61 out of 181 (33.7%)
Florida	2770 out of 3179 (87.1%)	2349 out of 3068 (76.6%)	1994 out of 3105 (64.2%)
Georgia	725 out of 1999 (36.3%)	428 out of 2033 (21.1%)	
Hawaii	168 out of 280 (60.0%)	135 out of 280 (48.2%)	185 out of 279 (66.3%)
Idaho	216 out of 645 (33.5%)	113 out of 630 (17.9%)	261 out of 610 (43.0%)
Illinois	1239 out of 3919 (31.6%)	1086 out of 3801 (28.6%)	1024 out of 3767 (27.2)
Indiana	422 out of 1828 (23.1%)	438 out of 1843 (23.8%)	750 out of 1862 (40.1%)
Iowa	156 out of 1442 (10.8%)	66 out of 1500 (4.4%)	94 out of 1532 (6.1%)
Kansas	175 out of 1413 (12.4%)	102 out of 1400 (7.3%)	
Kentucky	470 out of 1179 (39.9%)	288 out of 1176 (24.5%)	304 out of 1172 (25.9%)
Louisiana	104 out of 1375 (7.6%)	634 out of 1375 (46.1%)	
Maine	118 out of 685 (20.2%)	132 out of 711 (18.5%)	148 out of 637 (23.2%)
Maryland	523 out of 1344 (38.9%)	195 out of 1409 (13.9%)	285 out of 1410 (20.2%)
Massachusetts	798 out of 1698 (47.0%)	376 out of 1737 (21.6%)	409 out of 1690 (24.4%)
Michigan	896 out of 3472 (25.8%)	795 out of 3599 (22.1%)	436 out of 3670 (11.9%)
Minnesota	143 out of 1949 (7.3%)	464 out of 1969 (23.6%)	247 out of 1975 (12.5%)

Missouri	1007 out of 2053 (49.1%)	464 out of 2033 (22.8%)	719 out of 2036 (35.3%)
Montana	172 out of 858 (20.0%)		58 out of 843 (6.9%)
Nebraska	269 out of 1220 (22.0%)		
Nevada	223 out of 553 (40.3%)	210 out of 567 (37.0%)	339 out of 608 (55.8%)
New Hampshire	140 out of 464 (30.2%)	130 out of 464 (28.0%)	
New Jersey	989 out of 2432 (40.7%)	585 out of 2398 (24.4%)	851 out of 2398 (35.5%)
New Mexico	164 out of 780 (22.0%)	260 out of 768 (33.8%)	428 out of 788 (54.3)
New York	1047 out of 4186 (25.0%)	986 out of 3945 (25.0%)	
North Carolina	1194 out of 2252 (53.0%)	662 out of 2270 (29.2%)	968 out of 2263 (42.8%)
North Dakota	46 out of 497 (9.3%)	44 out of 451 (9.8%)	43 out of 462 (9.3%)
Ohio	815 out of 3715 (21.9%)	662 out of 3901 (17.0%)	932 out of 3838 (24.3%)
Oklahoma			
Oregon	328 out of 1216 (27.0%)	371 out of 1191 (31.2%)	377 out of 1084 (34.8%)
Pennsylvania	1032 out of 2786 (37.0%)	566 out of 3009 (18.8%)	575 out of 2992 (23.8%)
Rhode Island	96 out of 321 (29.9%)	98 out of 321 (30.5%)	61 out of 319 (19.1%)
South Carolina	817 out of 1072 (76.2%)	455 out of 1039 (43.8%)	
South Dakota	231 out of 737 (31.3%)	106 out of 718 (14.8%)	
Tennessee	746 out of 1650 (45.2%)	320 out of 1677 (19.1%)	358 out of 1693 (21.1%)
Texas	563 out of 6825 (8.2%)	393 out of 6909 (5.7%)	900 out of 7020 (12.8%)
Utah	246 out of 865 (28.4%)	143 out of 814 (17.6%)	118 out of 923 (12.8%)
Vermont	39 out of 307 (12.7%)	40 out of 307 (12.7%)	
Virginia	740 out of 1806 (41.0%)	507 out of 1831 (27.7%)	338 out of 1798 (18.8%)
Washington	432 out of 1955 (21.7%)	326 out of 2008 (16.2%)	404 out of 2060 (19.6%)
West Virginia	295 out of 728 (40.5%)	200 out of 719 (27.8%)	120 out of 715 (16.8%)
Wisconsin	194 out of 2204 (8.8%)	177 out of 2633 (4.7%)	
Wyoming	54 out of 364 (14.8%)	29 out of 363 (8.0%)	74 out of 370 (20.0%)

The above numbers will be adjusted periodically as states go through the appeals process.