



COMMISSION ON
NO CHILD LEFT BEHIND

THE ASPEN INSTITUTE

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**Accountability Recommendations:
Accelerating Progress and Closing Achievement Gaps
Through Improved Accountability**

The accountability provisions of the No Child Left Behind Act (NCLB) have yielded important benefits. Requiring schools to demonstrate adequate yearly progress (AYP) has driven schools to improve continuously. It has shone a bright light on schools that are genuinely in need of improvement. It has helped ensure that schools address the needs of all groups of students.

The current AYP system is a fairly blunt instrument. Schools either make AYP or they don't. This method does not distinguish between schools that are moving in the right direction but have not yet reached the bar and those that are seriously struggling and show little or no progress. As a result, schools might be labeled in need of improvement despite substantial progress in student achievement, in some cases against considerable odds.

Many states still leave large numbers of students behind. As a result of certain flexibilities allowed under the law, large numbers of students are not counted in some states' accountability systems. The Associated Press found that 1.9 million students throughout the country are not counted in AYP calculations because of state N-sizes (the minimum sizes for calculating subgroup performance) (Bass et al. 2006). In an example of just one state, California, the N-size is 100 students, or 50 students if that subgroup population is at least 15 percent of the total enrollment. Without a smaller N-size, in California alone, 38,165 students with disabilities are not included in the accountability system and 5,574 schools are not held accountable for the achievement of students with disabilities. Commission on No Child Left Behind 2007).

While we must ensure that every child achieves at proficient levels linked to high standards, we cannot ignore significant progress made by some schools in raising student achievement. We recommend improving the accuracy and fairness of AYP calculations by allowing states to include achievement growth in such calculations and by identifying only those schools that do not make AYP in the same subgroup and the same subject.

- Schools would receive credit for students who are on track to becoming proficient within three years, based on the growth trajectory of their assessment scores, when calculating AYP for the students' school.
- To determine such growth, states must have in place sophisticated, high-quality data systems that can track student performance over time and assessment systems that can monitor student growth from year to year.
- To ensure AYP is fair, schools would be identified as not making AYP only when they fail to meet standards for the same subgroup and the same subject.

While making AYP fair and accurate, we must also ensure that states are held accountable for the achievement of all students. We recommend restricting a state's minimum N-size to no more

than 20. In addition, the procedures for including students with disabilities in AYP calculations must be improved to ensure that these students are treated fairly and are held to high standards—and that schools are held accountable for their achievement.

We must hold states accountable for implementing the law. Ensuring that NCLB works for all students requires more than asking states to develop plans. It requires that states carry out their plans and fulfill their obligations under the statute. We recommend that parents and other concerned parties have the right to hold districts, states and the U.S. Department of Education (U.S. DOE) accountable for faithfully implementing the requirements of NCLB.

- States and the U.S. DOE would be required to establish an easy and streamlined process to hear complaints, with the possibility of bringing the complaint to state court if the U.S. DOE refuses to hear the complaint. In any case, the only remedy would be the full implementation of the law—financial damages would be prohibited.
- This would give parents and other citizens a real chance to ensure that states are faithfully living up to the letter and the spirit of the law.