



COMMISSION ON  
NO CHILD LEFT BEHIND  
THE ASPEN INSTITUTE  
[www.nclbcommission.org](http://www.nclbcommission.org)

## Frequently Asked Questions About the Commission on No Child Left Behind's Recommendations

### TEACHER EFFECTIVENESS

**Q:** If teachers are unable to achieve Highly Qualified *Effective* Status, what happens? The Commission recommends those teachers not be allowed to teach in high-poverty schools. But what about non-Title I schools?

**A:** The Commission's recommendations require that teachers who, after receiving extensive high-quality professional development, still have not achieved its new standard of effectiveness not be allowed to teach in Title I schools. This recommendation will help ensure that the neediest children are taught by effective teachers. The Commission does not address whether those teachers should be allowed to teach in a non-Title I school.

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### ASSESSMENTS

**Q:** We've heard over and over that there is too much emphasis on testing and that NCLB is forcing teachers to "teach to the test." Yet the Commission is suggesting more tests with the formative assessment recommendation. Won't there be even more backlash against these tests?

**A:** The formative assessments we recommend, and in some instances require, are very different from the current tests required in grades 3 to 8. Unlike those tests, formative assessments are not high stakes—in other words, there are no consequences to them. They are diagnostic in nature. They help teachers and parents understand on an ongoing basis how well students are doing and provide details on where students are struggling. Teachers can then better target interventions to the specific areas on which students need more help. High-quality formative assessments are designed to help students perform better on the end-of-the-year exams used for accountability purposes. Parents and teachers will no longer have to wonder throughout the year how well their children might do on the year-end assessments. Children will feel more confident that they are ready for those exams, decreasing anxiety and improving performance. We think teachers, students and parents will benefit from the information provided by these assessments.

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### 100 PERCENT PROFICIENCY BY 2013–14

**Q:** Does the Commission recommend sticking with NCLB's existing requirement for 100 percent proficiency by 2013–14?

**A:** Yes. The Commission believes it is important to maintain this goal and this timeline. The law currently acknowledges the need to give appropriate flexibility by allowing the use of N-sizes and confidence intervals to ensure that proficiency for subgroups is determined in a fair way that protects student privacy. We recommend that these be tightened, so that they are not abused. The Commission also recommends the use of growth models that give schools credit for students who are on track to proficiency within three years. We believe

NCLB should not back away from the notion that *all* children need to be prepared to succeed and enjoy the opportunities that a quality education brings. We must stick to the timeline for achieving that goal in order for it to have any meaning.

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## ACCOUNTABILITY

**Q:** Is the Commission recommending growth models for all states?

**A:** The Commission recommends giving states the *option* to include student achievement growth in their adequate yearly progress (AYP) calculations. We believe that every school should be held accountable for the achievement of all of its students. However, the current system is a fairly blunt instrument; it fails to recognize the significant progress some schools are making in raising student achievement despite substantial odds. Our recommendations seek to ensure the AYP system is accurate and fair, and that schools remain accountable for moving all students to proficiency.

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## PUBLIC SCHOOL CHOICE

**Q:** The Commission's recommendations require schools that make AYP to make available a number equal to 10 percent of their seats for transfers from schools in which students are eligible for public school choice. What happens when these schools are already at capacity?

**A:** Under the Commission's recommendations, districts must annually audit the space available for public school choice. If the audit shows that a school that made AYP does not have the physical space to accommodate the required percentage of transfer students, that school is responsible for accommodating only the maximum number shown to be practical in the audit. If a district is unable to accommodate all of its requests for public school choice, the district must offer supplemental educational services to eligible students.

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## MONEY FOR NCLB IMPLEMENTATION

**Q:** Does the Commission make any recommendations regarding the appropriate funding level for NCLB?

**A:** No. The Commission's mission was to assess strengths and weaknesses in the statute and its implementation. It was not our role to determine necessary levels of funding. While the Commission recognizes that discussions of funding are important and that reform does take resources, we believe that determining what levels are sufficient to accomplish NCLB's goals is best left to the Congressional process.

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## ENFORCEMENT

**Q:** What remedies are available to citizens under the Commission's enforcement recommendations?

**A:** The chief enforcement agents for NCLB have been the U.S. Department of Education and the states. Unfortunately, some of NCLB's key provisions, especially those that directly affect parents and students, suffer from a lack of strong implementation. We recommend that states and the U.S. Department of Education set up an administrative complaint process for parents and concerned citizens to seek better and fuller implementation of the law. If this process fails to address the cause of the complaint, individuals would have the ability to take their case to state court. The remedy would be to require the implementation of the provision in question, not financial damages.

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## **MODEL NATIONAL STANDARDS**

**Q:** Does the Commission's recommendation for the creation of model national standards subvert NCLB's current focus on local control?

**A:** No. The Commission believes that there is a great need for states to raise the bar of expectations to ensure that all children are prepared for success after high school. Our proposal calls for the creation of model national standards and tests to reflect that high level of expectation. However, our proposal allows states to choose from three options: (1) adopt the model national standards and tests as their own, (2) build their own assessment based on the model national standards or (3) keep their existing standards and tests. States choosing options 2 or 3 would have the quality and rigor of their standards compared to the national model in a report issued annually by the U.S. Secretary of Education. While the Commission believes it is important that the adoption of model national standards is voluntary, we also believe that the public deserves to know whether their schools are truly preparing students for future success.

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## **ENGLISH LANGUAGE LEARNERS**

**Q:** Under the Commission's recommendations, would all teachers be required to obtain an endorsement for teacher certification for providing instruction to English language learners?

**A:** The Commission's recommendations require teachers who spend more than 25 percent of their teaching time teaching English language learners to obtain a state-developed endorsement for providing instruction to English language learners (a credential 25 states now issue). We believe that this will help ensure that those who teach English language learners receive the training and support they need to help their students achieve.

**Q:** How does the Commission's recommendation for alternative assessments for English language learners impact the current law regarding this topic?

**A:** The Commission's recommendation encourages states to develop and implement valid and reliable assessments for English language learners. Unfortunately, too often English language learners are not assessed using the most valid and reliable assessments. States are already permitted to develop and implement these assessments under current law, and the Commission's recommendation is intended to supplement this authority.