

Implementation of the No Child Left Behind (NCLB) Act of 2001

ISSUE	REQUIRED OUTCOME	KEY LEA RESPONSIBILITIES	KEY DATES
Testing	<p>Annual test in math/reading-language arts/science for all students in public schools as a means to determine Adequate Yearly Progress (AYP).</p> <p>At least 95% of the students must be tested.</p>	SEAs must consult with LEAs in the implementation of assessments.	<p>Annual math/reading tests in grades 3-8 beginning in 2005-06</p> <p>Science assessments at least once at grades 3-5, 7-9, and 10-12 assessments by 2007-08</p>
Academic Assessment of English Language Proficiency	<p>All students with limited English proficiency must take an annual assessment. States may provide special assessment accommodations if necessary.</p> <p>States, LEAs and schools must annually collect information and prepare annual report cards which must be made available through public means such as posting on the Internet.</p>	LEAs have three years to annually assess English proficiency of all students who are English Language Learners, and report data to the SEA.	2002-03 school year with a one year delay if the State demonstrates exceptional or uncontrollable circumstances.
Report Cards		<p>District report cards must include:</p> <ul style="list-style-type: none"> ➤ Achievement information on State assessments in math and reading/language arts ➤ Aggregated achievement for the whole district and by schools ➤ Disaggregated achievement information by subgroups for district and for each individual school ➤ Percentage of students not tested, disaggregated by subgroups ➤ Information that can be used to compare actual achievement levels with state objectives for each group ➤ Two-year trend data in achievement ➤ Aggregate information on State indicators used to determine AYP ➤ Graduation rates for high school students ➤ Elementary schools must add at least one other indicator such as attendance rates. ➤ Performance of districts making AYP, including names and duration of schools identified for school improvement. ➤ Teacher qualifications including the percentage of teachers with emergency credentials and percentage of classes not taught by "highly qualified" teachers, both in the aggregate and disaggregated by high- 	<p>Not later than the beginning of the 2002-03 school year with a one year delay if the State demonstrates exceptional or uncontrollable circumstances.</p>

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		<p>poverty compared to low-poverty schools.</p> <ul style="list-style-type: none"> ➤ An LEA may also include any other appropriate information. 	

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<p>LEA Plan</p>	<p>As prior to NCLB, LEAs must submit a plan to the SEA in order to receive Title I funds.</p>	<p>The LEA plan requirements include specific provisions that are generally related to ensuring that low-achieving children meet challenging academic achievement standards (specified under Sec. 1112(b)(1)) and which provides assurances that the LEA will carry out their duties as required under the new law (1112(c)).</p> <p>LEA must “consult” with parents and the community in developing the plan</p>	<p>Must be submitted for the 2002-03 school year.</p>
<p>Review Progress of School Toward Making AYP</p>	<p>LEAs must identify schools that do not meet AYP and take appropriate and develop a plan for action.</p>	<p>LEAs must:</p> <ul style="list-style-type: none"> ➤ Annually review district & school progress in making AYP, which must include the State assessments, and which may include additional academic assessments or indicators developed by the LEA. ➤ Widely disseminate results of annual review. ➤ Review effectiveness of activities carried out under Title I-A. 	<p>LEAs must notify schools of their annual progress prior to the beginning of the school year.</p> <p>For example, all schools must be notified of their status for the 2002-03 school year, prior to the beginning of the 2002-03 school year.</p>
<p>School Improvement</p>	<p>LEAs must identify for improvement, schools that fail to meet AYP for 2 consecutive years</p>	<p>LEAs must:</p> <ul style="list-style-type: none"> ➤ Provide schools opportunity to review school level data on which the identification is based – and make final determinations in cases where there are questions regarding the identification. ➤ Approve school plans required of all schools identified for school improvement (after establishing a peer review process to review plan) ➤ Parents and community shall participate in recommending plans for improvement ➤ Provide technical assistance to such schools, which must be based upon ‘scientifically based research’ 	<p>Schools identified for school improvement prior to date of enactment (January 8, 2002) are considered to be in the first year of school improvement under NCLB.</p>

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<p>School Choice</p>	<p>Schools identified for school improvement for two consecutive years must offer school choice to pupils from low-income families.</p>	<p>LEA must:</p> <ul style="list-style-type: none"> ➤ Ensure school choice is offered. ➤ Give priority to the lowest achieving children from low-income families. ➤ Provide, or shall pay for the provision of, transportation for the student to the public school the student attends. LEAs must set aside 20% of their Title I funds, 5% of which must be for transportation related to school choice, 5% which must be for supplemental services, and 10% which must be used for either purpose. 	<p>School choice must be provided not later than the first day of the school year following such identification.</p> <p>Schools identified for school improvement under the prior law must begin with school choice beginning not later than the first day of the 2002-03 school year.</p>
<p>Supplemental Services</p>	<p>LEAs must offer supplemental services to students attending schools that fail to meet AYP for an additional year after being identified for school improvement.</p>	<p>LEAs must:</p> <ul style="list-style-type: none"> ➤ Provide, at a minimum, annual notice to parents of the availability of supplemental services; the identity of approved providers within the LEA or that are reasonably available (from a list compiled by the State Educational Agency); and a brief description of the services, qualifications, and demonstrated effectiveness of each provider. ➤ If requested, assist parents in choosing a provider from the State list of approved providers. ➤ Apply fair and equitable procedure for serving students if the number of spaces at approved providers is not sufficient to serve all students. ➤ Give priority to the “lowest-achieving children” in cases where funds are not sufficient. ➤ Enter into an agreement with the provider once selected by the parents setting forth the goals and procedures for measuring progress and information for parents and teachers. ➤ Set aside 20% of their Title I funds, 5% of which must be used for supp services, 5% which must be used for transportation related to school choice and 10% which must be used for either 	<p>Supplemental services must be offered not later than the first day of the school year following such identification.</p> <p>Supplemental services must be offered to students by the beginning of the 2002-03 school year for students attending schools identified for school improvement prior to date of enactment and fail to meet AYP for an additional year.</p>

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<p>Corrective Action</p>	<p>LEAs must identify a school for corrective action if after two years of school improvement such school fails to again meet AYP.</p>	<p>LEAs must:</p> <ul style="list-style-type: none"> ➤ Continue to provide public school choice. ➤ Continue to offer supplemental educational services. ➤ Continue to provide technical assistance. ➤ Take at least one of the following additional corrective actions: replacing staff relevant to the failure; institute new curriculum; decrease management at the school level; appoint an outside expert to advise the school; extend the school year or day; or restructure the school's internal organization ➤ Continue notification to parents and the options available. ➤ <i>Note: An LEA may delay, by not more than 1 year, implementation of supp services, corrective action, or restructuring if "the school makes AYP for 1 year or if its failure to make AYP is due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the LEA or school."</i> 	<p>Any school that was in corrective action status under this section on the day preceding the date of enactment of the No Child Left Behind Act of 2001 (January 8, 2002) shall be treated by the local educational agency as a school in corrective action as described to the left.</p>
<p>Restructuring</p>	<p>LEAs must identify a school for restructuring, if the school fails to meet AYP for another year after being identified for corrective action (above)..</p>	<p>If the school fails to meet AYP again it is subject to alternative governance, and the LEA must:</p> <ul style="list-style-type: none"> ➤ Continue to provide public school choice. ➤ Continue to offer supplemental educational services. ➤ Continue notification to parents and the options available. 	<p>The law does not address the status of schools that were in 'restructuring' on the day prior to date of enactment of the NCLB Act.</p>

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		<p>➤ Prepare a plan and make necessary arrangements (consistent with State law) to implement an alternative governance arrangement to begin not later than the first day of the next school year, which must include one of the following –</p> <ul style="list-style-type: none"> • Reopening the school as a charter school; • Replacing all or most of the staff; • Entering into a contract with an entity, such as a private management company, to operate the school; • Turning the operation of the school over to the State; or • Any other major restructuring necessary to improve student achievement. 	
<p>Teacher Qualifications</p>	<p>Ensure all teachers in the State are highly qualified.</p>	<p>Each local educational agency must ensure that all teachers hired after January 2002, and teaching in a program supported with Title I funds are “highly qualified” as defined under the new law.*</p> <p>Each SEA must develop a plan to ensure that all teachers teaching in core academic subjects within the State are highly qualified not later than the end of the 2005–2006 school year. This plan must include goals for annual increases in the percentages of such teachers, and the number of teachers receiving high quality professional development.</p> <p>Each LEA receiving Title I funds must also develop a plan to ensure that all teachers teaching within the school district served by the local educational agency are highly qualified not later than the end of the 2005–2006 school year.</p> <p>Beginning with the 2002–2003 school, each LEA must publicly report on the annual progress of the LEA as a whole and of each of the schools served by the agency, in meeting the State goals.</p>	<p>These requirements cover all new teachers hired since date of enactment of the NCLB Act (January 8, 2002).</p>

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		<p>Schools that receive Title I funds must provide timely notice to a parent whose child has been assigned to or taught for four or more weeks by a teacher who is not highly qualified.</p> <p>Districts must notify parents of children who attend Title I schools that they may request information about the professional qualifications of classroom teachers and whether the child is provided service by paraprofessionals, and, if so, their qualifications.</p>	
<p>Paraprofessional Qualifications</p>	<p>Paraprofessionals in LEAs receiving Title I funds must be qualified.</p>	<p>LEAs must ensure they hire paraprofessionals (not including interpreters or those whose responsibilities consist solely of conducting parental involvement activities outlined in the law (Sec. 11118).</p> <p>Specifically, paraprofessionals meet one of following criteria in order to be qualified:</p> <ul style="list-style-type: none"> • Complete two years of post-secondary study • Earn an associate's (or higher) degree. • Meet a rigorous standard of quality and can demonstrate, through a formal state or local academic assessment, knowledge of and the ability to assist in instructing reading, writing and mathematics. 	<p>For paraprofessionals hired after January 8, 2002 (date of enactment of NCLB), this is already in effect.</p> <p>Each LEA must ensure that all paraprofessionals hired prior to January 8, 2002, and working in a program supported with Title I funds, are 'qualified' not later than January 2006.</p>