

Understanding No Child Left Behind

TEACHER HANDBOOK

Senator John Ensign

Teachers have a unique and invaluable role when it comes to the education of our children. I still remember many of my teachers over the years—from Mrs. Gibbs in 3rd grade to Mrs. Wilkin in 9th grade English—and how they impacted my life. Teachers start with the potential of a student and, if successful, end up leaving an indelible mark on a young person's life.

Unfortunately, our teachers have not always been provided with the tools and support necessary to succeed. In 2001, No Child Left Behind (NCLB) became the most sweeping education reform in more than 35 years. It also became the most widely misunderstood—to the detriment of our public education system. Because of myths and erroneous information, many of the remarkable aspects of NCLB have been lost under the rubble of misinformation.

Added frustration has been caused by complicated reforms that leave teachers confused as to how to apply them in a classroom. It is my hope that this handbook will assist you in better understanding the details of NCLB and how they can help you in your classroom. You will also find resources you can access to answer additional questions.

Keep in mind that NCLB is a work in progress. You are in our classrooms where these reforms are intended to change education for the better. If you have concerns, criticism, or even positive feedback, my office and I would appreciate hearing from you. Together, we can make Nevada schools the best in the country.

ADEQUATE YEARLY PROGRESS (AYP)

What is Adequate Yearly Progress (AYP)?

AYP is the measurement used to determine whether a school is meeting the goals it has set for each of its student groups. The purpose of AYP requirements is to serve as the basis for identifying schools and school districts where performance is unsatisfactory so that inadequacies may be addressed. AYP and NCLB never label a school as failing. Rather, schools are determined to be in need of improvement.

Only when a school does not meet AYP for two consecutive years will it be identified as in need of improvement.

What happens if my school does not meet AYP?

First Year: The first year a Title I school does not meet AYP it is put on a watch list. The school can also request technical assistance from the school district at this time. Schools are also given additional financial assistance each year the school is in need of improvement to help it meet their achievement goals.

Second Year: A Title I school that has not met AYP for two consecutive years will be identified as being in need of improvement. Once this happens the school must develop a two-year improvement plan and is given technical assistance from the school district and state to implement this improvement plan. It is at this time that students must be given the option of transferring to another public school in the school district that has not been identified as needing improvement.

Third Year: If a school does not make AYP for three consecutive years the school remains in school-improvement status, and the school district must continue to provide public school choice to all students. In addition, students from low-income families are eligible to receive supplemental educational services, such as tutoring, from a provider who has been approved by the state.

Fourth Year: If a school does not make AYP for four years, the school district must implement certain corrective actions at the school, such as replacing staff or implementing a new curriculum. The school district would be required to continue both public school choice and supplemental services for low-income students.

Fifth Year: If a school does not make AYP for five years, the school district must initiate plans for restructuring the school. This could include having the state take over the school, a completely replacing of all school personnel, or turning over control to a private company.

“HIGHLY QUALIFIED TEACHER”

What does it mean to be a “highly qualified teacher”?

You are a highly qualified teacher if you have a bachelor’s degree, full state certification as defined by Nevada, and demonstrated competency in each core academic subject taught. Under NCLB core academic subjects are English, reading or language arts, math, science, foreign languages, civics and government, economics, arts, history, and geography. The state of Nevada requires all teachers to pass the Praxis II exam or qualify under the HOUSSSE system (see below) in order to be considered highly qualified. Middle and High School teachers must also have a specific amount of coursework directly related to the classes they are teaching. To determine whether you are a highly qualified teacher, visit <http://www.doe.nv.gov/accountability/nclb.html> for Nevada’s specific qualifications.

What is the high, objective, uniform state standard of evaluation (HOUSSE)?

HOUSSE is a system by which the state can determine that an experienced teacher meets the subject-matter competency requirements of NCLB. In the state of Nevada, these teachers can choose to pass the Praxis II test, have an academic major or equivalent for middle or high school teachers, or pass a HOUSSE that has been developed by the state. The website listed above explains the process in greater detail.

Do the highly qualified teacher requirements still apply if I am a special education teacher?

If you teach any core subject, then yes, the same requirements do apply. However, if a special education teacher does not teach a core academic subject, then the requirements do not apply. It is important to note that this may change in the near future when Congress reauthorizes the Individuals with Disabilities Education Act (IDEA).

Do substitute teachers have to meet the highly qualified requirements?

NCLB requires states and school districts to establish a definition for a long-term substitute and to notify parents when students are receiving instruction for four or more consecutive weeks by a teacher who is not highly qualified. Otherwise NCLB does not contain any specific requirement for substitute teachers to be highly qualified.

Do paraprofessionals, or teachers' aides, have to meet requirements under NCLB?

If a teachers' aide is assisting in instruction in Title I funded schools or classrooms then that person must have at least an associate degree or two years of college or meet a rigorous standard of quality as demonstrated through a formal state or local assessment. If the role of a paraprofessional in a Title I school does not involve facilitating instruction, then the requirements would not have to be met.

What if I am a teacher in a small rural school? Am I required to be highly qualified in every academic subject I teach?

Yes. All teachers who teach core academic subjects must be highly qualified in each subject they teach. However, the Secretary of Education has recognized that small rural school districts face special challenges in meeting the highly qualified provisions of NCLB. Thus, new teachers who are teaching multiple subjects have to be highly

qualified in at least one subject and will be given additional time to become highly qualified in other subject areas. For additional information, please visit <http://www.ed.gov/policy/gen/guid/secletter/040331.html> .

REPORT CARDS AND PARENTAL NOTIFICATION

What is a state/school district report card?

NCLB requires states and school districts to compile and publicize student test scores and other data annually for the public, particularly parents. The report card is required to include state assessment results by performance level that is broken out into groups of students by race, ethnicity, disability status, English language learners, low-income status, gender, and migrant status. This data would explain to parents and the public where a school, school district, or state is not meeting its achievement goals and may have not met AYP. It is important to note that this data is not broken down to these levels if the data would identify individual children. The report would also include accountability information that compares the actual test scores to the goals set for the school district and state and the percentage of students not tested. Graduation rates would be included. The last part of the report card would be about the teachers in the school district, specifically the professional qualifications of teachers in the state, the percentage of teachers teaching with emergency or provisional credentials, and the percentage of classes taught in the state by teachers that do not meet the highly qualified requirements of NCLB.

What is NCLB referring to when it talks about a “parent’s right to know”?

The purpose of parental notifications is to encourage parental involvement in schools and to improve the communication between schools, parents, and the community. NCLB requires a school district receiving Title I funds to send notification to parents to inform them of their right to request information on the qualifications of their child’s teacher. The information the school district must provide (if requested) includes whether the teacher has met the certification requirements of the state, whether the teacher is teaching under an emergency or other provisional license, the bachelor’s degree major of the teacher, and whether their child receives services from a paraprofessional. Title I schools must provide parents with information regarding the child’s level of achievement on state assessments and timely notice if their child has been assigned to or is being taught by a teacher that does not meet the highly qualified teacher provisions contained in NCLB.

STUDENT ASSESSMENT

What subjects are students tested on and how often are the tested?

NCLB requires that, by the 2005-2006 school year, students be tested once a year in both reading and math in each of grades 3 through 8 and at least once in grades 10 through 12. Each state designs and implements the tests according to grade-level curriculum. The federal government has no involvement in the creation of the test. The tests should be aligned to the curriculum for that school year. Beginning in the 2007-2008 school year, states must also have science assessments in place that would be administered at least once during grades 3-5, 6-9, and 10-12.

Does NCLB provide funding to states and school districts for professional development for teachers?

Yes. NCLB contains an entire Title devoted to professional development and training for teachers. Every state receives federal funding to help states and school districts find innovative ways to recruit, retain, and train highly qualified teachers. School districts can use the money in a variety of ways including alternative routes to certification, merit pay plans for master teachers, and incentive pay plans for those who teach in high-need schools in subject areas such as math and science with teacher shortages. School districts are required to consult with teachers when determining the most appropriate manner to spend these funds.

What support is available for teachers in the classroom?

NCLB contains multiple measures to protect teachers in the daily course of their work in the classroom. First, NCLB contains liability protections so that teachers and principals can undertake reasonable actions to maintain order and discipline in the classroom without the fear of litigation.

Second, teachers in schools that serve low-income families are eligible for \$5000 in loan forgiveness. To be eligible, you must be a recipient of a Federal Family Education Loan or Direct Stafford loan after October, 1998 and have taught for five consecutive years.

Third, because teachers often use their own personal resources to provide their pupils with supplies and supplemental materials for lessons, teachers who work at least 900 hours during the school year are eligible to deduct up to \$250 of these expenses from their federal income tax.

Is NCLB an unfunded mandate on schools and school districts?

Absolutely not; NCLB does not contain any unfunded mandates. Education funding from the federal government is at an all-time high. Since 1995 Congress has been prohibited from passing any legislation that contains an unfunded mandate. In fact, President Bush and the Congress are sending historic levels of funding back to states and local school districts to implement NCLB. The testing requirements under NCLB are also completely funded. In fact, if funding is not provided for these tests,

states and local school districts do not have to comply with that requirement. However, in both Fiscal Years 2002 and 2003, states were provided more than \$380 million to develop and design their grades 3-8 tests even though school districts do not have to test until the 2005-2006 school year. A February, 2002 study by the Accountability Works project found that the costs of annual testing in reading and math have been grossly overestimated by some in the education field. They released a study that explains the costs of testing and why the federal money provided is sufficient to cover these costs. The report can be found at <http://www.accountabilityworks.org>.

The education reforms contained in NCLB were coupled with an historic increase in K-12 funding. States received an approximately 21% increase in overall K-12 funding. The bulk of the increases are in Title I (Education for Disadvantaged Children program), Title II (Teacher programs), and the technology and assessment programs. Under Title I, grants to states and local school districts increased by nearly \$1.6 billion or roughly 18%. The state of Nevada received \$64 million, in Title I funding; a 93% increase above 2001 funding levels. You will also be interested to know that during the consideration of NCLB, I secured passage of an amendment that requires the Department of Education to distribute federal funds using annually updated population data. This change has brought millions of additional dollars for education to Nevada. Under Title II, states received a 35% increase in teacher funds, which school districts can use for professional development or bonuses, merit pay, financial incentives to recruit and retain highly qualified teachers, and class-size reduction. The state of Nevada received \$15.1 million.

ADDITIONAL RESOURCES

Senator Ensign's website: <http://ensign.senate.gov>

Resources from the Department of Education:

Home page for teachers: <http://www.ed.gov/teachers/landing.jhtml>

NCLB Toolkit for Teachers:

<http://www.ed.gov/teachers/nclbguide/toolkit.html>

Classroom resources: <http://www.ed.gov/free>

NCLB Homepage: <http://www.ed.gov/nclb>

Teacher Quality website: <http://www.teacherquality.us/>

Information on State and District report cards:

<http://www.ed.gov/programs/titleiparta/reportcardsguidance.doc>

Other Resources:

National Center for Educational Accountability: <http://www.nc4ea.org/>

Center for Improving Teacher Quality:
[http://www.ccsso.org/Projects/interstate_new_teacher_assessment_and_support_cons
ortium/780.cfm](http://www.ccsso.org/Projects/interstate_new_teacher_assessment_and_support_consortium/780.cfm)

National Center for English Language Acquisition: <http://www.ncela.gwu.edu/>