



A Parent's Guide to the No Child Left Behind Act

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No Child Left Behind (NCLB) took effect January 8, 2002. The law covers all states, school districts, and schools that accept Title 1 federal grants. Title 1 grants provide funding for remedial education programs for poor and disadvantaged children in public schools, and in some private programs. NCLB applies differently to Title 1 schools, than to schools that do not receive Title 1 grants. However, one way or another, this law covers all public schools in all states.

NCLB emphasizes **accountability** and **teaching methods** that work. A large focus of this law is on reading achievement.

Only 32% of fourth graders are proficient readers who can read at the fourth grade level.¹

Schools that receive Title 1 funds may apply for Reading First grants to pay for classroom-reading instruction for grades K-3. These Reading First grants are only available for reading programs proven successful based on independent research.

Reading First grants will fund classroom-reading instruction for 90-minute blocks, 5 days a week. Schools may use part of this money to train K-3 teachers in these research-based methods. They may also use a portion of this money to train K-12 special education teachers.

Qualifications of Teachers and Paraprofessionals

No Child Left Behind raises requirements for teachers. Because all states have accepted Title 1 funds, this quality standard applies to all public school teachers in all states.

Any new teacher, or any teacher working in a Title 1 program, must meet the criteria for being "highly qualified." That means they hold at least a bachelors degree and have passed a state test of subject knowledge. Elementary school teachers must demonstrate knowledge of teaching math and reading. Teachers in higher grades must demonstrate knowledge of the subject they teach, or have majored in that subject. Other teachers have until 2005-2006 to obtain at least a bachelor's degree, licensure and or certification.² Teachers with license and certification waivers, even if for an emergency basis, will not meet this standard.

New paraprofessionals assisting in Title 1 programs must have completed two years of college or pass a test. The test will assess their ability to support teachers in reading, writing and math instruction. Paraprofessionals already employed have until 2006 to meet these requirements.³

If your child attends a Title 1 school, you are entitled to information about the teacher. You are entitled to know whether the teacher is certified and qualified to teach the

particular subject and grade. You are entitled to information about the teacher's college degree and major. If your child receives any services from a paraprofessional, the school is required to provide you with information about the paraprofessional's qualifications.⁴

Proficiency Testing

By the 2013-2014 school year, NCLB requires that all children will be at the proficient level on state testing. To help states and districts accomplish this, NCLB gives states more flexibility in combining federal grants and expenditures. States and districts may use federal money for research-based programs that are proven effective.

NCLB contains various deadlines for compliance. Beginning in the fall of 2002, your district must report the scores for statewide testing to parents. This is the district or school's report card. Your district will report scores for each school as a whole. The scores will also be broken out into four subgroups. The subgroups are children with disabilities, limited English proficiency, racial minorities and children from low-income families. This information will tell you if your school has been successful in teaching all groups of children. You will be able to compare the report card from your child's school to the report cards from other schools in your district and state.

Beginning in 2005, your school must test all children in grades 3-8 every year. Schools will assess math and reading. Science assessments are required by Fall, 2007. These test scores will determine if your school is making Adequate Yearly Progress (**AYP**) towards the goal of proficiency for all children by the 2013-2014 deadline. **Proficiency** means the child is performing at average grade level.⁵ All subgroups of children, as well as the school as a whole, must meet the AYP goal or the school will fail.

New Parent Options

The law provides different options for your child depending on whether or not the child attends a school that receives Title 1 grants.

If your child attends a school that does not receive Title 1 funds, you will simply know whether your child's school is improving at the required rate. You will know which subgroups your school teaches successfully.

If your child attends a school that receives Title 1 grants, you will have more choices.

Transfers from Failing Schools

If your Title 1 School **fails** to meet its AYP goal for two consecutive years, **all** the children in the school may choose to attend a non-failing school in your school district. If all schools in your district fail, you may send your child to a school in another school district.⁶

All eligible children were not able to transfer out of failing schools for the 2002-2003 school year. Some districts did not make cooperative agreements with other districts. This prevented parents from exercising this option under the NCLB.

The school district may also limit the amount of money it spends on transportation to other schools. If there is not enough money under a designated formula to pay for transportation, the district may give preference to the lowest achieving children from the lowest income families.

If your child transfers to a better school, your child may stay there until he or she completes the highest grade in that school. Your sending school will provide transportation to the school you have chosen until the sending school raises its AYP rate to an acceptable level.⁷

Supplemental Services: Tutoring, After-school Programs, Summer School

If your Title 1 School fails to reach its AYP goal for three years, your school will provide supplemental services to the children remaining there. These supplemental services include tutoring, after-school programs, and summer school.

You may choose a tutor, or other service provider, from a state approved list. The state will ensure that all providers on this list have a history of success. Children will receive these services at no cost. Again, under a formula, the district may give preference to the lowest achieving children in the lowest income families who request supplemental services.

There is nothing in NCLB that prevents the school from providing transfers and transportation to all children in the failing school who request it. There is nothing in the law that prevents the district from providing tutoring to all children in the failing school who request it.

Failing Schools

If the school fails to make its AYP goal for four years, the school may replace school staff responsible for the failure. The school may hire an outside expert to advise the school on how to make progress towards its AYP goal.

The school may implement a new curriculum. The new curriculum must address the weaknesses in the old one. The school will train teachers in implementing this new curriculum. The school may also reorganize its management structure.

If your Title 1 School fails for five consecutive years, the school district may replace the principal and staff. The district may contract with a private firm to run the school. The school may reopen as a charter school.

If all these options are unsuccessful, the state will take over management of the school.

Clarifications

The Secretary of Education has issued several policy letters to clarify the No Child Left Behind statute. In August 2002, the U.S. Department of Education issued proposed regulations.

The U.S. Department of Education wants to ensure that parents are part of school reform. The U.S. Department of Education has created a "No Child Left Behind" website at <http://www.nochildleftbehind.gov/>.

To learn about the status of your school or learn more about No Child Left Behind Act in your state, visit the website or call 1-800-814-6252 for the name of your state NCLB contact person.

Resources: No Child Left Behind Act

State Contacts for the No Child Left Behind Act

<http://www.nochildleftbehind.gov/next/where/statecontacts.html>

No Child Left Behind Website

<http://www.nochildleftbehind.gov/>

No Child Left Behind Statute and Resources

<http://www.ed.gov/offices/OESE/esea/>

Key Policy Letters from the Secretary of Education

Letter about School Choice & Supplemental Services

<http://www.ed.gov/News/Letters/020614.html>

Letter about Adequate Yearly Progress & School Improvement Options

<http://www.ed.gov/News/Letters/020724.html>

Proposed Regulations for the No Child Left Behind Act

<http://www.ed.gov/offices/OESE/SASA/nprmtitleifinal.pdf>

Using the “No Child Left Behind Act” to Improve Schools in Your State – A Toolkit for Business Leaders – Information Resources for Business Leadership to Increase Student Achievement under the “No Child Left Behind Act of 2001” by the Business Roundtable

<http://brt.org/toolkit/toolkit.html>

No State Left Behind: The Challenges and Opportunities of ESEA 2001 by the Education Commission of the States.

http://www.ecs.org/ecsmain.asp?page=/html/special/ESEA_main.htm.

Click on No State Left Behind to download the PDF publication

Major Changes to ESEA in the No Child Left Behind Act by Learning First Alliance

<http://www.learningfirst.org/pdfs/nochildleft.pdf>

No Child Left Behind Act of 2001, Implications for Special Education Policy and Practice, Selected Sections of Title I and Title II by Council for Exceptional Children (September 2002)

http://www.cec.sped.org/pp/side-by-side09_04_02.pdf

No Child Left Behind Act of 2001: Reauthorization of the Elementary and Secondary Education Act by Council for Exceptional Children.

<http://www.cec.sped.org/pp/OverviewNCLB.pdf>

URL for this article: <http://www.wrightslaw.com/info/nclb.parent.guide.heath.pdf>

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¹ U. S. Department of Education, <http://www.nochildleftbehind.gov/next/stats/index.html>

² Section 9101(23)

³ Section 1119(c-d)

⁴ Section 1111(h)(6)

⁵ Section 1111(b)(1)(D)(ii)(II)

⁶ Section 1116(b)(7)(C)(i)

⁷ Section 1116(b)(13)