RUMINATIONS REGARDING NCLB’S MOST MALIGNANT PROVISION:
ADEQUATE YEARLY PROGRESS

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Abstract

As currently stipulated in the No Child Left Behind Act (NCLB),
the requirements for adequate yearly progress are remarkably
unrealistic. As a consequence, a larger than warranted number of
U.S. schools/districts will be regarded as ineffective and, in many
settings, the quality of public education will be lowered when
educators strive to avoid AYP-failure. Because these unrealistic
AYP requirements are statutory, modifications must be made in the
law itself rather than in the law’s implementation regulations. Four
ways of dealing with the AYP provisions of NCLB are considered:
(1) complete elimination of AYP, (2) lowering of AYP expectations,
(3) moving to a growth-based analytic model, and (4) installing a
substantially different evaluative approach for NCLB. Because any
AYP-related modifications in the law must establish not only more
realistic improvement-requirements for U.S. schools, but also be
politically viable, it is recommended that a meaningfully different
and more realistic evaluative strategy be substituted for AYP. The
chief features of such a strategy are briefly described.

Ill-conceived educational accountability laws, whether state or federal, invariably
erode instructional quality. They do so by causing teachers to engage in statute-
spurred classroom activities that turn out to be incompatible with high quality instruction,
for instance, curricular reductionism and excessive test-preparation. Alternately,
teachers’ frustrations with unrealistic goals, especially when such unrealistic is

∗I am indebted to Ellen Forte Fast for suggesting a number of first-rate ways to improve an earlier version
of this essay. I then tried to persuade her to accept responsibility for any remaining flaws in the essay,
but she declined to do so. It makes one wonder what friends are for! The current essay is much better,
though surely not without shortcomings, because of Dr. Forte Fast’s perceptive recommendations.
combined with flawed decision rules and exceptionally quick and punitive sanctions, may incline huge numbers of fine teachers to leave the classroom altogether.

Almost all educational accountability legislation, in my experience, is generated by well-intentioned lawmakers whose aim is to help make sure that children are well taught in our public schools. However, the architects of educational accountability laws sometimes install legislative requirements that actually lower the caliber of classroom instruction, not enhance it. Moreover, further flaws are sometimes introduced in subsequent regulations and formal guidance documents, not to mention off-the-cuff remarks by high-ranking officials. Such is currently the case with the No Child Left Behind Act (NCLB).

An Unintended Malignancy

The very name of the legislation, No Child Left Behind, elicits a warm vision of legislation intended to make certain that not one little child will be neglected during that child’s K-12 public-education journey. Unfortunately, it is the outlandish unrealism of the law’s *adequate yearly progress* (AYP) provisions that constitutes the most flawed feature of the law and, therefore, the part of the law that will actually do the most harm to children.

It is not my purpose here to spell out the specifics of AYP as stipulated in NCLB, nor to list its shortcomings. In a nutshell, however, NCLB currently calls for schools to produce unrealistic increases in the test scores of successive cohorts of students, and to do so not only for a school’s entire population of students, but also for several NCLB-designated subgroups (that is, any subgroup large enough to yield a statistically reliable estimate of that subgroup’s achievement).

Incorporating an interesting blend of federal and state controls, NCLB sets forth the general structure of AYP, but allows states to (1) decide what levels of student achievement will be required for a particular state’s students to be regarded as “proficient,” (2) select the achievement tests to measure students’ levels of proficiency, and (3) install state-specific timelines to make sure that all of the state’s students will become proficient by the close of the 2013-14 school year. Given state-determinations of these three key decision-points, it comes as no surprise that state-to-state percentages of AYP-failing schools have varied considerably.

Schools that fail to reach their annual AYP targets soon become the recipients of serious sanctions (if those schools receive NCLB dollars) or public embarrassment (if those schools receive no NCLB dollars). Avoidance of those negative consequences has become a primary focus at all levels of our public schools. State officials now tinker tirelessly with their NCLB decision rules in order to reduce the number of schools identified for improvement. However such tinkering has little to do with identifying those schools that actually need help. Districts and schools are learning to play a semi-sophisticated shell game with their students and NCLB services in order to elude the financial and public-relations penalties that flow from consecutive years of AYP-failure.
None of these developments, unfortunately, has anything to do with improving education for each and every child. The instructional calamity that NCLB’s AYP provisions are currently causing, and will surely cause in the future, is sufficiently serious that characterizing AYP as a malignancy really doesn’t require much literary license.

What’s to be Done

I have written this brief analysis chiefly because I believe it imperative that we put a halt to the educational harm now taking place all over America as a direct consequence of AYP. I intend to suggest some remedies that I think will not work, and then proffer one solution-strategy that just might. This is going to be a relatively succinct analysis, and I do not intend to elaborate at length regarding what I believe are losing and winning ways of coping with AYP. It would be possible, particularly if there is any interest in the solution-strategy proposed herein, for interested colleagues and/or critics to expand substantively on the particulars of the proposed solution.

It must be recognized, of course, that a meaningful alteration in the currently unrealistic requirements of AYP will require legislative changes, not merely alterations in NCLB regulations. What is unrealistic about AYP resides chiefly in the law itself, not in the regulations that U.S. Department of Education officials have devised to implement the law. And this recognition, of course, signifies that a highly visible set of statutory changes will need to be installed—changes so salient that they must not only be educationally beneficial—but also must be regarded as politically acceptable by key constituencies.

Let me turn now to four potential ways of dealing with NCLB’s current version of AYP. They consist of (1) excising AYP altogether from NCLB, (2) softening the law’s AYP demands, (3) shifting from the NCLB-mandated cross-sectional evaluation model to a growth model, and (4) replacing AYP with a substantially different evaluative mechanism.

Eliminating AYP Requirements Altogether

One way to get rid of AYP’s currently negative impact on public schools is simply to excise that section of the law altogether. If AYP disappears from NCLB, then AYP surely can cause no mischief in our schools.

Remember, however, AYP provisions were originally installed in the most recent earlier (1994) reauthorization of this law because federal lawmakers were doubtful about whether local educators would use federal dollars wisely, that is, to promote greater student achievement and to make sure that traditionally underserved student groups would be properly taught. This is a compelling rationale for legislation, a rationale that sells well in Peoria and elsewhere. If AYP requirements disappear completely from a modified version of NCLB, it is unlikely that sufficient congressional
support could be garnered. (Distrusting legislators rarely become trusting legislators—
even after a good night’s sleep.) Incredulity regarding the effectiveness of public
education is rife all across America—and definitely in the halls of Congress. To totally
remove the school-evaluation component of NCLB is not sensible and, realistically, not
possible.

Remember, NCLB was passed in the U.S. Congress by a whopping bipartisan vote in 2001. These federal lawmakers wanted to see hard evidence that children were learning what they were supposed to be learning. Any attempt to eviscerate AYP altogether from NCLB is unlikely to fly. It is not a politically viable solution—at least without the substitution of a more defensible evaluative alternative.

**Softening AYP Expectations**

Currently, a state’s AYP timeline must be predicated on the target that 100 percent of students will score at proficient-or-above levels on a state’s NCLB tests by the end of the 2013-14 school year. Theoretically, of course, it would be possible to lengthen that timeline. For instance, the law might be altered so that, instead of a 12-year trot toward perfection, that trip toward educational paradise might take two-times or even three-times as many years. Clearly, such extensions would dramatically lessen AYP’s en route improvement demands for both schools and districts.

Alternately, the definition of “proficiency” that is currently being employed could be adjusted in order to account for how proficiency-rates are actually being used these days because of NCLB. Perhaps, instead of asking what we expect of students at each grade level, we should be asking what level of achievement warrants the reconstitution of a school because of its ineffectiveness? This is particularly pivotal in view of the law’s conjunctive AYP evaluative structure in which one tiny subgroup leak can, all by itself, sink the whole blinking ship. Under NCLB rules for AYP, schools will soon be regarded as losers even if 99 percent of their students attain tests results classifying them as proficient in reading and mathematics. Given this likelihood, either we must reconceptualize the nature of “proficiency” because of its NCLB-defined usage or get ready to see trivialized notions of minimal competency replacing today’s notions of proficiency.

Yet, such retreats from current AYP expectations would send an unmistakable message that our nation’s educational standards were being lowered. This sort of standard-lowering does not represent a politically viable solution-strategy, particularly in the midst of rampant political rhetoric touting the virtues of our nation’s new tough public-school accountability law, namely, NCLB.

Another variation of a minor-massage fix-it approach would be for federal officials to simply turn the whole AYP problem over to the states so that individual states could do what they wish to do with respect to monitoring their state’s school-improvement efforts. Once more, this is an obvious abdication of federal responsibility regarding the way a substantial number of taxpayer dollars are to be spent for public education. It also
bears some resemblance to the less prescriptive AYP requirements of the Clinton-era version of the law. So, this sort of softening-strategy also fails to hop today’s political viability hurdle.

I recognize how tempting it is to try to make minor adjustments so that the law’s AYP provisions would work better. After all, some might say, it has taken several years for American educators to get the hang of how AYP really works, so why not capitalize on that newly acquired understanding? Well, just as some people become less likable as you get to know them better, familiarity with the innards of AYP usually tends to breed contempt, not consent. I have personally been unable to come up with any sort of sensible small-scale alterations in AYP’s statutory particulars that will render AYP both politically acceptable and, at the same time, educationally beneficial.

Cross-Sectional Versus Growth Models

Some critics of NCLB have argued that its AYP requirements are predicated on an inappropriate data-analysis strategy, namely, cross-sectional contrasts of the test-scores of annually different student groups, for instance, this year’s fourth-graders’ performances on NCLB tests versus the performances of last year’s fourth-graders on the same or equivalent tests. These critics would prefer the use of a growth model fashioned along the lines of value-added methodologies whereby test-scores of individual students are compared as those students move from grade to grade to discern if appropriate learner-growth is taking place over time.

The notion of tracking each student’s year-to-year test performances so we can see how an individual student progresses, of course, has much intuitive appeal. Yet, I am persuaded by colleagues who are far more statistically savvy than I, that we currently do not possess suitable data-analytic techniques for tracking students across grade levels, especially when the curricular content of different grade levels is insufficiently homogeneous. Those colleagues inform me that because vertical equating methods require substantial across-grade homogeneity of the content to be tested, value-added growth-monitoring methods do not represent an appropriate analytic approach for purposes of evaluating schools or districts. In other words, current growth-based methodologies may be able to capture the degree to which students are improving in their ability to stack increasing numbers of blocks, but may miss entirely those content-changes that allow for the construction of multi-story block castles with cantilevered roofs.

Although growth models may address questions about whether students know more in later grades than they did in earlier grades, the cross-sectional approach can get at whether achievement at each grade level is improving over time. Thus, I believe that when a school’s effectiveness is evaluated cross-sectionally, on the basis of several grade’s worth of student scores even though this year’s third-, fourth-, and fifth-graders are different than last year’s third-, fourth-, and fifth-graders, this can provide a sufficiently accurate estimate of a school staff’s instructional effectiveness that, even
allowing for the well-known imprecision of educational assessments, an appropriate
evaluation of that school’s staff can be derived.

An Alternative Way of Determining if Annual Improvements are Satisfactory

As I see it, any educationally potent alterations in AYP, as we now know it, will
flop chiefly because those changes, if they have sufficient strength, are certain to be
regarded as a lowering of the expectations we demand from U.S. educators and
students. Indeed, this dilemma is made more troubling by AYP’s current labeling
system requiring that annual evaluative reports be based on the percent of students
who score at “proficient-or-above” levels on a state’s NCLB tests. By definition,
therefore, any child who scores below the state-specified proficiency level is not
proficient! Once “proficiency” has been installed as a statutorily designated descriptor,
officials in any state who try to link reasonably high performance levels to their state’s
NCLB tests are certain to see local newspapers reporting relentlessly about the percent
of students at school, district, or state levels, who simply “aren’t proficient”

To get us out of this bind in a politically acceptable manner, I propose that we
attempt to modify NCLB so we replace its AYP evaluative components completely with
a totally different evaluative structure, but one aimed at the same mission as was
intended for AYP. What the architects of NCLB should have tried to incorporate in the
law was an evaluative system to identify settings (schools, districts, or states) in which
reasonable improvements in instructional quality were/weren’t taking place in a
reasonable period of time. That’s a good thing. Where those who were drafting NCLB’s
AYP provisions went off-course is when they installed a federally required evaluative
system that demanded unrealistic improvement in an unrealistically short period of time.

Leaving not one child behind is great political rhetoric. It is not realistic. So,
because we are currently saddled with an altogether unrealistic progress-monitoring
mechanism in NCLB, and because we are unable to render that evaluative mechanism
more realistic without being accused of retreating from rigor, the solution-strategy I
suggest is that we must alter the NCLB evaluative paradigm totally. We must alter it so
thoroughly that, as we delineate a new set of evaluative specifics, we then can install a
politically acceptable but realistically attainable set of expectations for the nation’s
schools.

I propose that a brand new, start-from-scratch evaluative approach be installed in
NCLB so that a state’s citizens and educational policymakers can accurately monitor
the instructional improvement of their state’s public schools. Briefly, I will set forth the
major elements of this approach below. If this strategy were ever to be considered
seriously as a replacement for NCLB’s AYP approach, there would obviously need to be
many more details spelled out. I hope, however, that an identification of the
replacement-strategy’s chief elements will convey a picture of what I have in mind.
Here, then, are seven features of an alternative evaluative strategy for NCLB.
1. **Grade-level linked descriptors.** I recommend that we depart completely from AYP’s *basic, proficient,* or *advanced* descriptive labels and, thereby, allow states to install more meaningful and defensible definitions of student status. I suggest that we describe students’ test performances in three ways, namely, *below-grade-level,* *at-grade-level,* and *above-grade-level.* Parents and citizens understand these descriptors because all of us have a reasonably common point of reference regard what it means to be performing at grade level. If students are performing at grade-level, then those students are mastering the curricular aims they are supposed to master at their particular grade level. Everyone understands that such students are doing “all right.” This proposed three-category descriptive model will surely be more intuitively comprehensible to most citizens than will the current NCLB performance labels.

Clearly, each state would have to determine—given the curricular content approved by that state for different grade levels as well as the difficulties of the state’s chosen NCLB tests—just what range of test Performances would be established so a student was deemed to be performing *at grade level.* But a shift to this substantially new descriptive scheme will allow for a more realistic determination of the performance-level expectations than we currently find in many states. Remember, a substantial number of our states set forth their performance-level expectations prior to NCLB’s enactment. An opportunity to establish more defensible performance expectations with three brand-new descriptive labels, particularly in view of NCLB’s requirement to make test-score improvements over time, will be welcomed in most states.

I should note here that I am not thinking a state’s officials would simply scurry out to the schools of their state and use the current levels of students’ grade-by-grade performances to determine what it means to be performing at grade level. No, rather than relying on such an empirical, norm-referenced approach to truth, I am instead thinking that a state’s educational leaders would get together to decide what an acceptable at-grade-level performance by students *should* be. I would hope, for sure, that such levels would be substantially higher than those levels reflecting students’ current mastery of skills and knowledge.

A corollary dividend of employing descriptors other than the currently NCLB-required ones, for instance, “proficient,” is that in the coming months when state-by-state results from the National Assessment of Educational Progress (NAEP) are released, the almost certain deflating comparisons between a state’s higher “percent of students deemed proficient” on its own NCLB tests and the state’s lower NAEP “percent of students deemed proficient” will no longer be possible. Comparing NAEP test results with a state’s NCLB tests results is akin to comparing mangoes with papayas. Having NCLB results reported via a substantively different set of descriptors will markedly reduce the likelihood of specious mixed-fruit comparisons with NAEP results.

2. **Instructionally sensitive assessments.** Great effort by the Secretary of Education and his associates should be devoted to helping state education officials understand that, in order to accurately monitor SAI, states need to select *instructionally sensitive* NCLB tests, that is, achievement tests truly capable of detecting instructional
improvement when it occurs. At present, too many states have adopted NCLB tests that are unable to accurately detect instructional improvements as reflected by year-to-year increases in the achievement levels of students in a school or district. Even reasonable requirements for SAI will prove to be unrealistic if the wrong sorts of NCLB achievement tests are used to monitor such improvements.

Federal officials should not require the use of any genre of NCLB tests. However, those officials should do all they can to help state decision-makers understand the evaluative strengths and weaknesses of certain types of achievement tests. Such state decision-makers can then select suitable NCLB tests that, when used in concert with a realistic set of improvement obligations, can identify yearly improvements when such improvements are present.

3. Substantially different federal constraints regarding required levels of improvement. It seems appropriate for a federal law to establish minimum levels of year-to-year improvement in children’s learning that, as a nation, we should expect from our students. However, I would argue that those improvement expectations should be sufficiently realistic so, based on reasonably effective teaching, they are truly attainable. For openers, I suggest that the pivotal index of achievement be percent of students at-or-above-grade-level. There should definitely be some form of recognition given to educators in settings where substantial numbers of students are performing above grade-level. Indeed, a formula might be devised whereby dramatic increases in the proportion of above-grade-level students could compensate for modest shortcomings in the percentage of students scoring at-or-above-grade-level on their state’s NCLB tests. However, the key indicator of a student group’s achievement status should be percent of students who are at-or-above-grade-level.

So, based on substantial input from the panels of the nation’s educators who will be under the NCLB gun to get more students to grade-level and above, those federally imposed minima must reek of realism. For instance, it might be realistic to set a 15-year target of getting 95 percent of students to be at-or-above-grade-level. On the other hand, if it is politically impossible to retreat from the already set aspiration of ultimately getting a full 100 percent of students to be performing at-or-above-grade-level, then I suggest that the timeline for the attainment of this lofty but potentially unrealistic aim be lengthened to a more reasonable length, for instance, 25 years.

Whatever the duration of the improvement-timeline and whatever the target percent of students who must be performing at grade level or better, I suggest that we call for equal yearly increments, not multi-year increments, in students’ test scores toward satisfaction of that target. (NCLB currently demands adequate yearly progress, then permits student performance levels to remain the same for two or three years in a row. This permission does violence to one’s understanding of what the modifier “yearly” means.) Teachers should be constantly striving to improve the caliber of their instruction, not once every three years. As a placeholder label, for purposes of this analysis only, I will describe these expectations as satisfactory annual improvement (SAI), not adequate yearly progress. Federally required minimum SAI levels must be
sufficiently modest to be truly realistic if those minima are to benefit the nation’s students.

4. **School-specific and district-specific improvement.** A state’s NCLB tests should be standardized, as should its expectations for at-grade-level test performance. However, improvement percentages (how many more students must score at-or-above-grade-level) should be based on a particular school and a particular district, not predicated on statewide minimum improvement levels in students’ test performances. Thus, if School X were serving a student population that started off with, say, only 20 percent of its students scoring at-or-above-grade-level on a state’s NCLB tests, we would require at least the federally set minimum-increase in the percent of such students each year. For instance, suppose a federal SAI minimum of three percent had been established. Then, at School X, we would be seeking sufficient improvement in the percent of students scoring at-or-above-grade-level so that there were at least increases of three percent each year. Thus, two schools could differ substantially in their absolute levels of at-or-above-grade-level students, yet both be making satisfactory NCLB improvements. If our illustrative School X were able to boost its percent of at-or-above-grade-level students annually by the federal minimum of three percent, at the close of four years that school might still have only about 40 percent of its students at-or-above-grade-level. In School Y, however, where more than 60 percent of the students started out at-or-above-grade-level, a four-year annual increase of at least three percent would result in School Y’s having well over 70 percent of its students displaying at-or-above-grade-level test performances. Yet neither of the schools would be identified as having failed to improve its students’ annual achievement sufficiently. Similarly, school districts would be required to make the minimum levels of improvement each year based on where the students in their district had started.

There may be some who question this sort of school-specific evaluative strategy on the grounds that it may allow our lowest-performing schools to move too slowly toward improvement. This is a legitimate concern, for an overriding focus of this federal law, dating back to its inception in 1965, has been to improve the quality of the education we provide to disadvantaged students. I, too, want to see the achievement gaps we have been struggling with for decades reduced, then eliminated altogether. However, I think we are more likely to accomplish that end by giving educators in low-performing schools a set of realistic targets on which they can succeed instead of requiring high-sounding but realistically unattainable leaps in students’ test performances. If the teachers and administrators in a low-performing urban school understand that their SAI targets are truly attainable, those educators will typically try to attain those targets. Everyone wants to be successful, and the teachers in low-performing schools are no exception. If, on the other hand, those same educators are told they must produce completely unrealistic AYP-spawned gains in students’ test scores, then you can be certain that those educators’ motivation to attain the unattainable will be modest at best.
For schools or districts that had reached a federally set minimum target of, say, 98 percent of students at-or-above-grade-level, then this required level of performance should be maintained. If schools or districts are currently doing a crackerjack instructional job, we obviously want that high level of educational excellence to continue.

5. Continued reliance on public reporting procedures, but buttressed by citizen review panels. I think that an expanded reliance on the kinds of school-based and district-based report cards now called for in NCLB could be effectively meshed with school-specific and district-specific evaluations. In fact, a mandatory school-specific and district-specific evaluation panel composed of citizens, parents, and members of the business community, should be required to review NCLB scores and other relevant data each summer, then issue a public evaluation report for each school and for each district for every school year. This information would also be widely disseminated to the public. As will be noted in the following paragraph, I believe that informed public pressure is often preferable to preset test-score improvements when monitoring educational quality.

6. Base schools’ and districts’ status only on total-group SAI, but continue to spur instructional attention to NCLB-designated subgroups via public scrutiny. I suggest that the current only-one-way-to-win but many-ways-to-lose AYP structure is unrealistic. Again, we encounter another of NCLB’s well-intentioned provisions (requiring educators to attend more diligently to NCLB-identified subgroups by linking a school’s status to AYP for each subgroup). The resultant near-certainty of a school’s falling short with respect to at least one of those many subgroups has led to the creation of all sorts of dodge-the-bullet tactics by state officials who, for example, have established remarkably high minima for the numbers of students certain subgroups must contain prior to their test scores being counted in a school’s AYP calculations.

Again, in the interest of establishing attainable expectations, we should maintain attention to the subgroups of interest by requiring that their test scores be disaggregated (if the subgroup’s n exceeds, say, 10) and that then this subgroup improvement/or lack of improvement be obligatorily and widely publicized. In short, I’d like to see the chief indicator of satisfactory annual improvement be based on the test scores of all students (retaining the requirement that 95 percent of eligible test-takers complete each year’s NCLB tests). However, I prefer to foster attention to the quality of instruction given by schools to the law’s specified subgroups by public display rather than by pre-set per-subgroup SAI failure determinations.

The citizen review panels described earlier would be supplied with federal guidelines urging panelists to attend carefully to subgroup SAI, and to vigorously castigate educators in districts/schools where serious subgroup performance gaps were not being eliminated.

Perhaps my advocacy of dealing with deficient subgroup test-performance via public scrutiny rather than automatic school-failure will be regarded as a retreat from
attention to the educational well-being of those subgroups. That is surely not my intent. Rather, given the imprecision of our existing assessment tools, I am simply reluctant to tie an entire school’s annual evaluation to the test scores of a particular subgroup. A popular song of a decade or so ago told us that “There are 50 ways to leave your lover.” Well, if there are almost 50 ways for a school or district to flop in each year’s evaluation derby, then it is quite likely that there will be flocks of floppers. I believe that teachers care deeply about their minority, disabled, and handicapped students. Accordingly, I believe that disaggregated and widely publicized test-scores of the NCLB-signified subgroups will be a sufficient stimulus for our nation’s teachers. If we continue with the current model of myriad ways to lose, we are apt to find educators trying to elude the evaluation system rather than improve the education of those students who most need their educations improved.

7. **Expanded monitoring role for state boards of education.** Because of the school-specific and district-specific nature of the proposed evaluative approach, each state’s most significant educational policy group, e.g., its state board of education, would be responsible for identifying schools that failed to attain their individual improvement targets (or dramatically exceeded those targets). Because a federal one-size-fits-all evaluative approach would have been replaced by a more particularistic evaluative model, it will be important to have a state’s ultimate policymakers determine which schools/districts should be identified for sanctions, rewards, or public praise/scorn. Those who worry that this state-based power would be abused by leaving many children behind could be comforted via a federal review process similar to the one currently employed to examine states’ standards and assessments. The focus of such reviews could be on a state system’s effectiveness in identifying schools that need improvement and in ensuring that these schools receive the services they need to improve the quality of teaching and learning.

8. **Retain the current sanction/reward structure largely as is.** Although there would be more state-level determination of the schools or districts warranting rewards or penalties, the kinds of sanctions now inherent in NCLB seem suitable. If the goal of this law is still the same as it was in the original version of the statute (ESEA of 1965), then that goal continues to be to improve U.S. public education. The existing NCLB sanctions seem consonant with that mission.

However, the application of these sanctions could be much more supportive of school improvement than is currently allowed by the law. To illustrate, “choice” is a meaningless improvement option in the neediest schools located in neighborhoods where most other schools also need help, or in isolated rural areas where there are simply no other schools to choose. Instead, because a school-based evaluative model could allow for a more comprehensive understanding of a particular school’s strengths and weaknesses, supportive intervention approaches could be tailored to address the content areas where students actually need improvement. For instance, is the problem
in mathematics, in the school’s programs for students with disabilities, or in reading at the lower NCLB-unassessed grades?

**A Fine/Flawed Future**

If NCLB’s unrealistic AYP evaluative model were replaced with a politically acceptable, more readily understandable system that offered American educators a decent chance to systematically improve the number of students who are learning what they should learn, then the accountability features of NCLB could nurture improved rather than eroded educational quality. In Figure 1 I have tried to contrast several important features of the current AYP model with what has been proposed herein.

I attempted to be brief in this analysis in order to outline the major features of what is being proposed. I realize all too well that a meaningful discussion of the ideas tersely suggested here would be warranted. However, as I’ve tried to think through the details of how such a system might work in practice, I am optimistic. If we replace AYP with a more defensible evaluative model, NCLB might just do what it is supposed to, namely, improve American schools.

If, however, we persevere in using NCLB’s unrealistic AYP model, then for the next several years we will see great harm done to our public schools as a consequence of a well-intentioned but unrealistic federal law. At some point in the future, NCLB’s AYP provisions will unquestionably cause the law itself to implode. American citizens will simply not accept the counter-intuitive notion that nearly all of their public schools are ineffective. However, until the moment of implosion arrives, many U.S. students will be getting a lower-quality education as a consequence of AYP’s unrealism. We should fix this problem as soon as we can.