

# Implementing the No Child Left Behind Act



A First Look Inside 15 School Districts in 2002–03

## Learning from Case Studies of the No Child Left Behind Act

What have school districts done during the past year to raise student achievement, ensure all teachers are highly qualified, provide school choice to children in under-performing schools, and meet the other far-reaching requirements of the No Child Left Behind Act (NCLB)? How do districts perceive the Act? What effects is it having?

To help answer these questions, the Center on Education Policy commissioned case studies of local implementation of NCLB in a geographically diverse set of urban, suburban, and rural school districts. Although our case study work is still underway, interesting findings are already emerging from the case studies of 15 school districts completed as of September 2003. Because educators and policymakers are eager to learn more about the progress being made with NCLB at the local level, the problems arising, and the strategies being used to tackle these problems, the Center has produced this summary of preliminary findings from the 15 districts. These findings reflect the status of NCLB implementation at the end of school year 2002–03 and the beginning of school year 2003–04. As a companion to this report, the Center has published individual case study reports of the 15 districts on its web site, [www.cep-dc.org](http://www.cep-dc.org).

## Key Findings from Case Studies

Based on the case studies completed to date, the Center finds that—

**During school year 2002–03, NCLB had a stronger impact on case study districts that already had schools in various stages of school improvement under the law’s accountability procedures, but the impact of NCLB on all districts is likely to be much greater in school year 2003–04.**

The effects of NCLB were different in the various school districts we studied, depending on such factors as the district’s advance knowledge of and preparations for the new law, state policies and timetables for implementing the law, and the district’s

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prior academic performance. This differential impact is most obvious in the area of accountability. More than half the districts we studied have not yet felt the full weight of the NCLB accountability requirements because they did not have any schools identified for improvement in 2002-03. This situation could change in 2003-04, if any schools in these districts do not meet state benchmarks for adequate yearly progress. In our interviews, several districts with generally high achievement recognized that they might fall short of making AYP because of low achievement among one or more subgroups of students.

We also find that—

**Officials in the districts we studied are supportive of the general intent of NCLB to raise achievement for all students and upgrade teacher qualifications. Most are also hopeful their districts will be able to achieve these goals because they have already put considerable effort into state and local school reform initiatives.**

Before NCLB took effect, many of the districts we analyzed were already making substantial efforts to boost student achievement and strengthen professional development for teachers and paraprofessionals. Most of the officials we interviewed seem pleased with the academic gains made so far and believe their schools will meet NCLB performance targets. Most also agree with the general intent of the Act, although some feel it is unrealistic to expect all students to reach proficiency by 2014 and are unsure how they will attain this goal. Local leaders' support for NCLB is also tempered by their concerns about how state budget cuts will affect their ability to carry out the law's demands.

At the same time, we find some major problems with implementing NCLB in the case study districts—

- 1. Several of these districts are experiencing funding cuts, mostly as a result of state budget deficits, that are complicating their efforts to carry out NCLB.**

The Calhoun County school district in Alabama, to cite one example, had to make significant cuts in its staff for school year 2003-04, leaving fewer people to carry out the extra demands of NCLB. The Cleveland, Ohio, school district expects to have \$33 million less to spend over the next two years.

- 2. Although officials in the case study districts agree that schools should be held accountable for subgroup performance, they have serious concerns about the appropriateness and feasibility of the test score requirements for students with disabilities and English language learners. In the case of students with disabilities, some were referred to special education precisely because they have significant learning or cognitive disabilities that make it difficult for them to master the content likely to appear on state tests. In the case of English language learners, students leave the subgroup as soon as they become proficient enough in English, and are replaced by new immigrants and other students who know little or no English.**

The Cuero (Texas) Independent School District enrolls a significant percentage of students with disabilities because it provides special education services to children from neighboring districts under cooperative agreements. District officials are concerned that this subgroup may not make adequate progress in the content areas tested, yet it will be difficult for the district to schedule extra instruction for these students, because many are bussed from far away. In Sheboygan, Wisconsin, the new



AYP requirements for English language learners are posing challenges. This subgroup—which includes 20 different language groups and ranges from formerly migrant Spanish-speaking students to recent immigrants from Albania—did not make AYP at three of the district’s schools in 2003.

- 3. Many of our study districts said their implementation of NCLB has been hampered by frequently changing or late guidance from their states and the federal government, especially about aspects of accountability.**

Based on its conversations with the state of Illinois and the U.S. Department of Education, the Chicago school district believed that under the state’s plan for making adequate yearly progress, its schools could show slight improvement at first, followed by a sharp rise in achievement and sustained progress over time. District personnel began implementing NCLB with the understanding that this aspect of the state’s plan—aiming for different rates of growth in different years—was acceptable to federal officials. But further negotiations between the U.S. Department of Education and the state ultimately produced a different plan for AYP—one that assumes schools will show the same steady percentage of growth each year—which Chicago officials feel is less reflective of how children really progress and will be more difficult to achieve.

- 4. Officials in several districts with diverse student populations and higher than average achievement point to professional development as a key element in their success.**

In Cuero, Texas, students performed above state averages in all subjects tested on the 2003 state assessment, and many subgroups also did well. One hundred percent of the district’s African American students reached proficient levels in math (grades 3 and 4), writing (grade 4), and social studies (grades 8, 10, and 11)—an accomplishment that district staff credit mainly to Cuero’s extensive, well-structured professional development program. In Cloquet, Minnesota, the achievement of American Indian students has improved significantly over the past two years, gains due largely to focused professional development, according to district officials.

- 5. The NCLB requirements for school choice and supplemental educational services (tutoring) have been very time-consuming for some case study districts to implement and have been little used by parents, to date.**

In Kansas City, Kansas, only 127 students of the 4,500 students eligible for choice under NCLB transferred to different schools in 2002–03, and only 283 students enrolled in supplemental services. In Grant Joint Union High School District, California, the director of categorical programs estimated that he and his staff spent more than 300 hours in 2002–03 implementing NCLB school choice and another 500 hours arranging for supplemental services in eligible schools.

- 6. Despite efforts to comply with NCLB teacher requirements, rural districts and districts serving large concentrations of poor children have problems with attracting and keeping highly qualified teachers that are not easily solved.**

Fort Lupton, Colorado, a rural district, cannot match the higher salaries of larger districts in the area, and highly qualified teachers often transfer out of the district. Collier County, Florida, has considerable teacher turnover in the high-poverty schools of its inland area, where many migrant workers live—a teacher retention problem that persists despite a local requirement that teachers stay in their assigned school for at least three years.





7. **Many rural districts we studied faced unique challenges in carrying out NCLB related to distance, isolation, or cultural factors. Several of these districts had high teacher turnover and a lack of choice schools, supplemental service providers, or degree-granting programs for teachers and paraprofessionals in the region.**

In Kodiak Island Borough, Alaska, a community with high teacher turnover, paraprofessionals are vitally important to ensure continuity of instruction, but many of these paraprofessionals cannot take college courses during the summer because they must spend that time hunting, fishing, and cutting wood to prepare their families for the long and harsh winter.

8. **The large urban districts we analyzed expressed greater concerns with the Act's requirements than other districts. These urban systems faced special challenges in making adequate yearly progress because they tended to have more student subgroups counted for accountability purposes and more schools targeted for improvement and technical assistance.**

For 2003–04, Cleveland has 21 schools identified for school improvement or corrective action. To make AYP, the Cleveland public schools must show improvement every year on all 82 benchmarks in the state's AYP definition—taking into account all the subgroups, grade levels, and progress indicators counted—far more than its suburban counterparts. And because this AYP definition is based in part on state average test scores, districts with low performance, like Cleveland, must make up more ground than other districts in the state to meet the yearly benchmarks.

## Findings about Specific Aspects of NCLB

The case studies also shed light on how school districts are approaching specific provisions of NCLB.

### Accountability, Testing, and Adequate Yearly Progress

NCLB gives states the authority to make key decisions about testing and accountability, and therefore states have developed different policies about which tests to use and when to give them, where to set benchmarks for proficient performance, and how to define adequate yearly progress. Most of the districts we analyzed have just begun to grasp the full ramifications of their state's approach to NCLB accountability.

- In past years, most states did not require student achievement data to be reported by subgroups. Even states like California that did disaggregate data for racial, ethnic, and income subgroups did not require disaggregation for English language learners or students with disabilities. This means that most districts—and the general public—had their first look at specific subgroup achievement data in the late summer and fall of 2003.
- The prior federal law, like NCLB, required districts to identify schools that were not performing well and implement strategies to improve them. The case studies suggest that this process of highlighting and helping under-performing schools can



make a difference. In Kodiak Island Borough, Alaska, and Bayonne, New Jersey, for example, some schools that had been previously identified as needing improvement made sufficient gains in 2003 to exit school improvement status.

- As strategies to raise achievement across the board, many case study districts, such as Calhoun County, Alabama, and Hermitage, Missouri, have implemented programs to strengthen reading instruction, expand preschool education, or provide structured professional development for teachers.

## School Choice and Supplemental Services

Some of the case study districts had their first experiences in 2002–03 with providing school choice and supplemental educational services to children in schools identified for improvement, while other districts were preparing to provide these options in 2003–04. Many of these districts faced problems as they began implementing these requirements.

- In the districts we analyzed that were required to offer choice in 2002–03, relatively few parents took advantage of the option to transfer their children to other schools. In Bayonne, New Jersey, for example, only 50 students of the 2,200 eligible for choice actually changed schools in 2002–03. The people interviewed in the case study districts attributed this low participation to various factors, including parents' reluctance to send their children far from home, parents' support of reforms occurring in their neighborhood schools, and limited time for parents to make decisions between the time they were notified about choice and the start of the school year.
- Choice has been difficult to implement in certain cases. Some districts, such as Fort Lupton, Colorado, have few or no potential receiving schools that serve the right grade levels and are not in school improvement themselves. To address these situations, districts have tried, with limited success, to persuade neighboring districts to accept out-of-district transfer students, and some districts, such as Grant Joint Union, California, have had to offer supplemental services instead of choice in the first year of school improvement.
- The districts that seemed best prepared to carry out the NCLB choice requirements, if they should have to do so in the future, are in states that already have public school choice programs, such as Cloquet, Minnesota; Avon, Massachusetts; and Sheboygan, Wisconsin. None of these districts currently has any schools required to offer NCLB choice; in the case of Avon, however, school choice works to the district's advantage because significant numbers of students transfer *into* the district from other districts, which boosts Avon's declining enrollment.
- In districts that were required to offer supplemental services in 2002–03, relatively few parents took advantage of these services for their children. For instance, of the 18,000-plus students who were eligible for supplemental services in the Chicago Public Schools, only about 1,100 students actually registered for these services. Officials in several case study districts attribute low participation in tutoring services to the limited number of approved providers available in some areas, the late start for initiating this requirement, difficulties in managing and administering the program, and the need to change families' concepts of "school" to encompass a longer learning day in a variety of settings.
- Some school districts became approved providers of supplemental services themselves. In Kansas City, Kansas, and Bayonne, New Jersey, the school districts were the only approved providers in their local areas for 2002–03. Districts most commonly





delivered these services through after-school programs and made efforts to closely link the supplemental offerings with the regular school curriculum and coursework.

- At least one district, Grant Joint Union in California, expressed concern that employees of outside supplemental service providers were not familiar with the neighborhoods, cultures, and academic needs of the students being served.

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## Teacher and Paraprofessional Issues

Many case study districts reported that all or nearly all of their teachers were highly qualified according to the NCLB definition, although some districts were awaiting additional state guidance about specific criteria for determining teacher qualifications. Most of the districts we studied felt they had made recent progress in enhancing teacher qualifications, but some still anticipated problems meeting NCLB requirements.

- Professional development was a high priority in many case study districts—not only because NCLB requires teachers and paraprofessionals to be highly qualified but also because the districts saw professional development as essential to education reform. Several districts, such as Fayetteville, Arkansas, focused professional development on helping teachers use student assessment data to diagnose and address students' individual needs.
- The districts we analyzed seemed to be having the most difficulty with the NCLB mandate to ensure that high school teachers, as well as some middle school and special education teachers, have subject-matter expertise in all the subjects they teach. Sheboygan, Wisconsin, for example, is already grappling with a shortage of fully certified teachers for special education and some middle school subjects—positions that could become harder to fill if these teachers must take additional training to meet NCLB criteria. Rural districts, low-income districts, and other districts with high teacher turnover in some or all of their schools also anticipate some difficulty meeting NCLB teacher requirements.
- In most of the case study districts, very few paraprofessionals had two years of college or a two-year degree. To address this need, Avon, Massachusetts, and other districts have formed partnerships with higher education institutions to offer course credit programs to prepare paraprofessionals to fulfill the NCLB requirements and, if they desire, to complete a teaching degree. Some districts also expect the majority of their paraprofessionals to pass a state or local competency test—another way for paraprofessionals to demonstrate they are highly qualified under the law.
- Case study districts varied in their use of paraprofessionals for instructional duties. Some districts hire a great many paraprofessionals to help with instruction in Title I schools, but others, such as Bayonne, New Jersey, do not hire any, instead spending their Title I funds on additional teachers.



## Case Study Districts and Methods

The 15 case study districts discussed in this report vary in their size, location, and demographics and include the following districts. (Enrollments are shown in parentheses.)

- **Alabama:** Calhoun County School District (9,480)
- **Alaska:** Kodiak Island Borough School District (2,750)
- **Arkansas:** Fayetteville Public Schools (8,000)
- **California:** Grant Joint Union High School District (12,682)
- **Colorado:** Fort Lupton Weld Re-8 School District (2,622)
- **Florida:** Collier County School District (37,109)
- **Illinois:** Chicago Public Schools (438,589)
- **Kansas:** Kansas City, Kansas Public Schools (20,425)
- **Massachusetts:** Avon Public School District (730)
- **Minnesota:** Cloquet Independent School District #94 (2,278)
- **Missouri:** Hermitage School District (320)
- **New Jersey:** Bayonne School District (8,400)
- **Ohio:** Cleveland Municipal School District (69,534)
- **Texas:** Cuero Independent School District (1,993)
- **Wisconsin:** Sheboygan Area School District (10,315)

Elizabeth Pinkerton, a consultant to the Center on Education Policy, conducted 13 of the 15 case studies described in this summary. Consultant Caitlin Scott did the case study of the Cleveland Municipal School District, and consultant Barbara Buell did the case study of the Chicago Public Schools. Nancy Kober, also a consultant to the Center, wrote this summary and edited the case studies.

To collect information for these case studies, Pinkerton, Scott, and Buell conducted telephone and personal interviews with key contact people in the school districts, usually the coordinator of federally funded programs, and did other research. The research and interviews were done between May and September 2003. Although the Center has sought to report the most up-to-date information possible, important decisions were being made in late summer and fall of 2003, so districts may have taken actions too recent to be included here. In August and early September, for example, most states released their lists of schools that did not make adequate yearly progress (AYP) in 2003 in raising student achievement. Until districts have received and analyzed their disaggregated state test results and AYP data, they may not know the full impact of NCLB for school year 2003-04.

These case studies are one of several research methods the Center is using to inform its multi-year national study, now in its second year, of state and local implementation of NCLB. By the end of 2003, we hope to have completed about 30 case studies, selected to be geographically diverse and to reflect the approximate distribution of urban, suburban, and rural districts in the nation. In January 2004, the Center plans to issue its second annual report on its comprehensive NCLB study and also publish a complete case study report containing information from the larger group of 30 case studies.





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## FOR MORE INFORMATION

Individual case study reports from 15 districts, as well as this report, can be accessed and downloaded from the Center's web site at [www.cep-dc.org](http://www.cep-dc.org). The web site also includes the Center's report from the first year of its NCLB study, *From the Capital to the Classroom: State and Federal Efforts to Implement the No Child Left Behind Act*. For more specific information about the NCLB stages of school improvement, teacher and paraprofessional requirements, and other issues, see CEP's publication, *A New Federal Role in Education*, also available on the web site.

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Based in Washington, D.C. and founded in January 1995 by Jack Jennings, the Center on Education Policy is a national independent advocate for public education and more effective public schools. The Center works to help Americans better understand the role of public education in a democracy and the need to improve the academic quality of public schools. We do not represent any special interests. Instead, we help citizens make sense of the conflicting opinions and perceptions about public education and create the conditions that will lead to better public schools.

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