

Parent's Guide to No Child Left Behind

by Suzanne Heath, Research Editor Wrightslaw

Introduction

No Child Left Behind (NCLB) 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 read at a 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 that are 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

This law raises the requirements for teachers. Because all states have accepted Title 1 funds, this quality standard applies to all public school teachers in all states.

Highly-Qualified Teachers

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 Standards for Paraprofessionals

New paraprofessionals who assist 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]

Parents' Right to Know Teacher Qualifications

If your child attends a Title 1 school, you are entitled to information about your child's 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 of Children

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.

School & School District Report Cards

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: 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.

Annual Testing

Beginning in 2005, your school must test all children in grades 3-8 every year in math and reading. By fall, 2007, science assessments are required.

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 Options for Parents

The law provides parents with different options depending on whether or not your 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 at the beginning of the 2002-2003 school year. Some districts did not make cooperative agreements with other districts that 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: Free 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.

Restructuring 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 policy letters to clarify the No Child Left Behind statute. In August 2002, the U.S. Department of Education issued regulations. Additional regulations concerning calculations of AYP using scores for the small numbers of students who take tests aligned with alternate achievement standards were issued in December 2003.

The U.S. Department of Education wants to ensure that parents are part of school reform.

For more information and fact sheets, visit the **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 **No Child Left Behind site** or call **1-888-814-6252** for the name of your state NCLB contact person.

No Child Left Behind Resources

State Contacts for the No Child Left Behind Act

<http://www.ed.gov/about/contacts/state/index.html>

No Child Left Behind website

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

No Child Left Behind Statute and Regulations

Statute

<http://www.ed.gov/policy/elsec/leg/esea02/index.html>

Regulations issued August 2002

<http://www.ed.gov/legislation/FedRegister/finrule/2002-4/120202a.html>

Regulations issued December 2003

<http://www.ed.gov/legislation/FedRegister/proprule/2003-1/032003a.pdf>

Important Policy Letters from the Secretary of Education

<http://www.ed.gov/policy/gen/guid/secletter/index.html?exp=0>

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 the publication title to download the PDF publication

[Major Changes to ESEA in the No Child Left Behind Act](http://www.learningfirst.org/publications/nclb/) by Learning First Alliance

<http://www.learningfirst.org/publications/nclb/>

Click on the publication title to download the PDF publication

[No Child Left Behind Act of 2001, Implications for Special Education Policy and Practice, Selected Sections of Title I and Title II](http://www.cec.sped.org/pp/NCLBside-by-side.pdf) by Council for Exceptional Children, January 2003. <http://www.cec.sped.org/pp/NCLBside-by-side.pdf>

Endnotes

- [1] U. S. Department of Education, <http://www.ed.gov/nclb/overview/importance/edlite-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)
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About the Author

Suzanne Heath the research editor for Wrightslaw (www.wrightslaw.com). She is the co-author, with Peter and Pamela Wright, of **Wrightslaw: No Child Left Behind** (ISBN: 1-892320-12-6) published by Harbor House Law Press (<http://www.harborhouselaw.com>).

Sue is also the webmaster for the New Hampshire Branch of the International Dyslexia Association (www.nhida.org) and membership chair of the Council of Parent Attorneys and Advocates (COPAA) (www.copaa.net).

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