

No Child Left Behind

700 Broadway, Suite 1200 Denver, CO 80203-3460 303.299.3600 Fax: 303.296.8332 www.ecs.org

State Requirements Under NCLB

June 2005

The following, detailed description of the NCLB requirements are included in ECS' database, which is an ongoing effort to track state progress toward meeting specific provisions of the federal law.

Standards and Assessment

NCLB Requirement	Detailed Description
<i>Reading Standards</i>	State has academic content standards in reading/language arts in grades 3-8 and high school as required under the 1994 Elementary and Secondary Education Act (ESEA).
<i>Mathematics Standards</i>	State has academic content standards in mathematics in grades 3-8 and high school as required under the 1994 ESEA.
<i>Science Standards</i>	State has academic content standards in science in one grade level 3-5, one grade level 6-9 and one grade level 10-12 no later than 2005-06.
<i>Annual Assessments in Reading</i>	State administers a system of standards-based assessments in reading/language arts in grades 3-8 and in high school no later than 2005-06.
<i>Annual Assessments in Mathematics</i>	State administers a system of standards-based assessments in mathematics in grades 3-8 and in high school no later than 2005-06.
<i>Assessments in Science</i>	State administers standards-based assessments in science in one grade level 3-5, one grade level 6-9 and one grade level 10-12 no later than 2007-08.
<i>Assessment of English Language Proficiency</i>	State ensures that Local Education Agencies (LEAs) administer an annual assessment of English proficiency to all Limited English Proficient (LEP) students by the beginning of the 2002-03 school year.

NCLB Requirement	Detailed Description
<i>Inclusion of LEP Students</i>	State has a policy in place to ensure inclusion of 100% of LEP students in state academic (reading/language arts, mathematics, science) assessments no later than the year specified for each subject.
<i>Inclusion of Students with Disabilities</i>	State has a policy in place to ensure inclusion of 100% of students with disabilities in state academic (reading/language arts, mathematics, science) assessments no later than the year specified for each subject.
<i>Inclusion of Migrant Students</i>	State has a policy in place to ensure inclusion of 100% of migrant students in state academic (reading/language arts, mathematics, science) assessments no later than the year specified for each subject.
<i>Disaggregation of Results</i>	Results are disaggregated and reported at the state, LEA and school level by required subgroups.

Accountability
Adequate Yearly Progress (AYP)

NCLB Requirement	Detailed Description
Single Accountability System	<p>A single statewide accountability system applies to all public schools and Local Education Agencies (LEAs), as required by the 1994 Elementary and Secondary Education Act (ESEA).</p> <p>(State operates a single accountability system for Title I and non-Title I schools).</p>
All Schools (and students) Included in Accountability System	<p>All public school students are included in state accountability system.</p> <p>(No students or schools are exempt from state accountability system, including alternative schools, juvenile detention schools, special education, state-operated).</p>
Continuous Growth to 100% Proficiency	<p>State's definition of adequate yearly progress (AYP) is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-14.</p>
Annual Determination of Adequate Yearly Progress	<p>State makes annual determination as to whether all public schools and LEAs have made AYP.</p>
Accountability for All Subgroups	<p>All public schools and LEAs are held accountable for the achievement of individual subgroups.</p> <p>(LEAs and schools are held accountable for achievement of the following student groups: economically disadvantaged, major racial or ethnic groups, students with disabilities, Limited English Proficient).</p>
Primarily Based on Academics	<p>State's AYP definition is based primarily on the state's academic assessments.</p>
Includes Graduation Rate and Additional Indicator	<p>State's AYP definition includes graduation rates for high schools and an additional indicator for middle and elementary schools.</p>
Based on Separate Math and Reading Objectives	<p>AYP is based on separate reading/language arts and mathematics achievement objectives.</p>

NCLB Requirement	Detailed Description
<i>95% of Students in all Subgroups Assessed</i>	In order for a school to make AYP, state ensures that it assessed at least 95% of students in each subgroup enrolled. (At least 95% of all student subgroups – economically disadvantaged, major racial or ethnic groups, students with disabilities, Limited English Proficient – must be assessed for a school to make AYP.)

School Improvement

States must have the following policies or programs in place by the time sanctions or rewards must be applied to schools or Local Education Agencies (LEAs), typically based on success or failure to make adequate yearly progress.

LB Requirement	Detailed Description
<i>Timely Identification</i>	State identifies schools for school improvement, corrective action or restructuring before the start of the school year and ensures Local Education Agencies (LEAs) notify parents in a timely fashion.
<i>Technical Assistance</i>	State has a system in place to provide "scientifically based" technical assistance to schools identified for school improvement, corrective action and restructuring, and the state has made LEAs aware of their technical assistance responsibilities to schools implementing improvement plans.
<i>Public School Choice</i>	State's public school choice law allows students attending schools that have been identified as "in need of improvement" to transfer to another public school in the district that has not been identified for improvement.
<i>Rewards and Sanctions</i>	State has implemented system of rewards and sanctions for all schools (Title I and non-Title I) based on adequate yearly progress (AYP).
<i>School Recognition</i>	State has developed strategies, such as distinguished schools designations, academic rewards or financial rewards, to recognize schools that have significantly closed the achievement gap, exceeded AYP or have made the greatest gains in student performance.
<i>School Restructuring</i>	State law authorizes at least one of four alternative governance options (reopening as charter school, replacing all or most of the school staff; entering into a contract with an entity, such as a private management company, to operate the public school; or turning the operation of the school over to the state) or other "major restructuring" of school governance.
<i>Corrective Action for LEAs</i>	<p>State law authorizes and a process is in place for the State Education Agency (SEA) to take at least one of the actions against Local Education Agencies (LEAs) that are in corrective action.</p> <ul style="list-style-type: none"> ▪ Deferring programmatic funds or reducing administrative funds ▪ Instituting and fully implementing a new curriculum ▪ Replacing LEA personnel ▪ Removing particular schools from the LEA and establishing alternative governance arrangements ▪ Appointing a receiver or trustee in place of the superintendent and school board ▪ Abolishing or restructuring the LEA ▪ Authorizing students to transfer to a higher-performing school operated by another LEA, together with the provision of transportation and at least one other action in the preceding six items.

Safe Schools

NCLB Requirement	Detailed Description
<i>Criteria for Unsafe Schools</i>	State has developed criteria for identifying "persistently dangerous" schools by the beginning of the 2003-04 school year.
<i>Transfer Policy for Students in Unsafe Schools</i>	State has established and implemented a statewide policy allowing students to transfer out of a school that has been identified as persistently dangerous into another public school within the district.
<i>Transfer Policy for Victims of Violent Crime</i>	State has established and implemented a statewide policy allowing students who are victims of a violent criminal offense to transfer to another public school within the district.

Supplemental Services

NCLB Requirement	Detailed Description
<i>Criteria for Supplemental Services</i>	State has established criteria to identify effective supplemental service providers by the beginning of the 2002-03 school year.
<i>List of Approved Supplemental Services Providers</i>	State maintains list of approved providers, which it supplies to districts by the beginning of the 2002-03 school year.
<i>Monitoring of Supplemental Services Providers</i>	State has developed standards for monitoring quality of supplemental service providers.
<i>Implementation of Supplemental Services</i>	State ensures eligible Local Education Agencies (LEAs) are arranging for provision of supplemental services by a provider selected by parents.

Report Card

NCLB Requirement	Detailed Description
<p><i>State Report Card</i></p>	<p>State prepares and disseminates an annual state report card that includes all required information, by the beginning of the 2002-03 school year.</p> <ul style="list-style-type: none"> ▪ Aggregated achievement information on state assessments in reading/language arts and mathematics ▪ Disaggregated student group (race/ethnicity, disability, socioeconomic level, gender, migrant status, Limited English Proficient) achievement data on statewide assessments ▪ Most recent two-year trend data reported by subject area and grade level in areas where assessments are required ▪ Comparison data between actual achievement levels of each group of students to annual student achievement goals ▪ Aggregated information on state indicators used to determine adequate yearly progress (AYP) ▪ Percentage of students not tested, disaggregated by student subgroups listed above ▪ High school graduation rates, one elementary school indicator and one middle school indicator ▪ Performance of Local Education Agencies (LEAs) towards making AYP, including identifying numbers, names and percentages of schools in need of improvement ▪ Data on teacher qualifications, including number of teachers with emergency certification and percentages of classes not taught by “highly qualified teachers”

Teacher Quality

NCLB Requirement	Detailed Description
<p>Highly Qualified Teachers Definition</p>	<p>State has adopted definition for "highly qualified teachers" that meets the requirements of No Child Left Behind, by the beginning of the 2002-03 school year.</p> <p>Elementary Teachers</p> <ul style="list-style-type: none"> ▪ Public elementary teachers must be fully licensed or certified by the state and must not have had any certification or licensure requirements waived on an emergency, temporary or provisional basis ▪ New public elementary school teachers must have at least a bachelor's degree and pass a state test demonstrating subject knowledge and teaching skills in reading/language arts, writing, mathematics and other areas of any basic elementary school curriculum ▪ Existing public elementary teachers must have at least a bachelor's degree and meet the requirements described above or demonstrate competency in all subjects taught. A state evaluation standard is to be used to judge competency. The evaluation standard must provide objective information about the teacher's knowledge in the subject taught and can consider, but not use as a primary criterion, time spent teaching the subject. <p>Middle and Secondary Teachers</p> <ul style="list-style-type: none"> ▪ Public middle/secondary school teachers must be fully licensed or certified by the state and must not have had any certification or licensure requirements waived on an emergency, temporary or provisional basis ▪ New public middle/secondary school teachers must have at least a bachelor's degree and demonstrate competency in each of the academic subjects taught or complete an academic major or coursework equivalent to a major, graduate degree, or advanced certification ▪ Existing public middle/secondary school teachers must have at least a bachelor's degree and meet the requirements described above or demonstrate competency in all subjects taught. A state evaluation standard is to be used to judge competency. The evaluation standard must provide objective information about the teacher's knowledge in the subject taught, and can consider but not use as a primary criterion, time spent teaching the subject.
<p>Subject-Matter Competence</p>	<p>State has developed a system whereby existing elementary and middle and secondary teachers, in core academic subjects, must demonstrate subject-matter competence. System must be in place no later than beginning 2002-03 for new Title I teachers and no later than 2005-06 for all core academic subject teachers.</p>
<p>Test for New Elementary Teachers</p>	<p>State has test in place for new elementary school teachers. The exam must be available by the time teachers must demonstrate they meet highly qualified requirements.</p> <p>(The test must demonstrate subject knowledge and teaching skills in reading/language arts, writing, mathematics and other areas of an elementary curriculum.)</p>
<p>Highly Qualified Teacher in Every</p>	<p>State has established an annual measurable objective for Local Education Agencies (LEAs) to meet the goal for "highly qualified teachers" in every classroom. System must be in place no later than beginning 2002-03 for new Title I teachers and no later</p>

NCLB Requirement	Detailed Description
<i>Teacher in Every Classroom (annual measurable objective)</i>	<p>than 2005-06 for all core academic subject teachers.</p> <p>(State has annual measurable objectives that, at a minimum, track the following information: highly qualified teachers, teachers with a bachelor's degree, state certified teachers, teachers who demonstrate subject-matter competency. Additional indicators are acceptable as well.)</p> <p><i>NOTE: ECS has discontinued tracking this indicator, as it focuses on an NCLB provision that requires setting policy objectives, rather than implementing policy.</i></p>
<i>High-Quality Professional Development (annual measurable objective)</i>	<p>State has established an annual measurable objective for increasing the percentage of teachers receiving high-quality professional development. The measurable objective must be included in State's Consolidated Plan.</p> <p><i>NOTE: ECS has discontinued tracking this indicator, as it focuses on an NCLB provision that requires setting policy objectives, rather than implementing policy.</i></p>

© 2005 by the Education Commission of the States (ECS). All rights reserved. ECS is a nonprofit, nationwide organization that helps state leaders shape education policy.

To request permission to excerpt part of this publication, either in print or electronically, please fax a request to the attention of the ECS Communications Department, 303.296.8332 or e-mail ecs@ecs.org.